United Nations S/PV.7811

Security Council

Seventy-first year

Provisional

7811th meeting
Wednesday, 16 November 2016, 3 p.m.
New York

President:	Mr. Seck	(Senegal)
Members:	Angola	Mr. Lucas
	China	Mr. Wu Haitao
	Egypt	Mr. Aboulatta
	France	Mr. Delattre
	Japan	Mr. Okamura
	Malaysia	Mrs. Adnin
	New Zealand	Mrs. Schwalger
	Russian Federation	Mr. Safronkov
	Spain	Mr. Oyarzun Marchesi
	Ukraine	Mr. Yelchenko
	United Kingdom of Great Britain and Northern Ireland	Mr. Hickey
	United States of America	Ms. Coleman
	Uruguay	Mr. Rosselli
	Venezuela (Bolivarian Republic of)	Mr. Méndez Graterol

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2016/901)

This record contains the text of speeches delivered in English and of the translation of speeches delivered in other languages. The final text will be printed in the *Official Records of the Security Council. Corrections* should be submitted to the original languages only. They should be incorporated in a copy of the record and sent under the signature of a member of the delegation concerned to the Chief of the Verbatim Reporting Service, room U-0506 (verbatimrecords@un.org). Corrected records will be reissued electronically on the Official Document System of the United Nations (http://documents.un.org).

16-38657 (E)

Accessible document Please recycle

The meeting was called to order at 3.05 p.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2016/901)

The President (*spoke in French*): In accordance with rule 37 of the Council's provisional rules of procedure, I invite the representative of Serbia to participate in this meeting.

On behalf of the Council, I welcome His Excellency Mr. Ivica Dačić, First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Mr. Zahir Tanin, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, to participate in this meeting.

Mr. Tanin is joining today's meeting via video-teleconference from Pristina.

In accordance with rule 39 of the Council's provisional rules of procedure, I invite Ms. Vlora Çitaku to participate in this meeting.

The Security Council will now begin its consideration of the item on its agenda.

I wish to draw the attention of Council members to document S/2016/901, which contains the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo.

I now give the floor to Mr. Tanin.

Mr. Tanin: During the three months since my last presentation to the Security Council (see S/PV.7760), there has been some consolidation of the political situation in Kosovo. Regionally, some new, positive developments, together with some new reasons for concern, have emerged. Some of these are well covered in the Secretary-General's report before the Council (S/2016/901); others have emerged since the submission of the report and deserve to be highlighted.

I take note that, besides this being the last briefing on the United Nations Interim Administration Mission in Kosovo (UNMIK) of 2016, it is also the last UNMIK report by Secretary-General Ban Ki-moon, who has personally dedicated considerable time and attention to this issue during the past decade.

Many of the political expectations with which Kosovo the year yielded fewer results than hoped. Difficulty building a broad political consensus has meant that the territorial delineation agreement with Montenegro, agreed in 2015, remains unratified, with attendant consequences for Europe's visa liberalization plans for Kosovo. Political divisions have also made it more difficult to reap the benefits of normalizing relations with Serbia within the dialogue facilitated by the European Union (EU). Kosovo's EU Stabilization and Association Process, a major development with far-reaching potential, has been given little focused attention by officials or the public, despite holding the promise of much wider opportunities than the visa liberalization matter can offer by itself.

The political violence of earlier months has subsided. However, the divergent positions of the ruling and opposition parties are just as entrenched, and the general political atmosphere remains deeply polarized. For Kosovo, this is unfortunate at a time when relations among traditional regional rivals — for example Tirana, and Belgrade — have benefitted from renewed dialogue and the strengthening of economic ties.

Despite the political polarization, some of Kosovo's leaders are forging ahead with a farther-sighted view of reconciliation and the rebuilding of mutually beneficial relations. I would like to highlight President Thaçi's recent engagement jointly with the family associations of both Albanian and Serb missing persons, and his emphasis on treating this issue on humanitarian, not political grounds. He has also recently met with a mixed Serb and Albanian youth group to encourage understanding of the possibility of a common future that would be better than is the situation today. Such gestures remind us of the potential of genuine dialogue, including but not limited to the EU-facilitated political process.

In contrast, the accelerated passage through parliamentary procedure of a new law on the Trepca industrial complex emerged as another obstacle to constructive dialogue. Irrespective of the details of the law itself, the manner of its adoption was certain

to produce the negative reactions that we witnessed. Assembly members were given less than 48 hours to review the draft, with almost no opportunity for analysis and argument. Both the law and the procedure generated strong protest among the Serb community, as well as from Belgrade, to the extent that Kosovo Serb representatives and officials have suspended their participation in governing institutions. The international member of the Special Chamber of the Kosovo Supreme Court has requested that the Constitutional Court review the constitutionality of the law, based on concern that it appears to contravene fundamental property rights.

The divergence between the preoccupations of governing elites and their electorates is a common pattern. This phenomenon is present in Kosovo as well. The priorities identified as being most important by voters at the community level are often strikingly distant from the issues dominating the elected bodies and popular media spaces. The results of recent surveys, including one commissioned by UNMIK, indicate that there is little ethnic division in priorities at the community level: unemployment, corruption and lack of economic development are the biggest concerns.

Among other recent notable findings are the facts that the level of trust in governing institutions is low; the level of trust in international institutions is also low; a range of party political allegiances appear to be shifting; all ethnic groups place more emphasis on dialogue among community leaders as the method for advancing reconciliation than on political level dialogue; and the normalization of relations with Serbia is considered to be an important priority in roughly equal proportion in both Kosovo Albanian and Kosovo Serb communities — over 50 per cent in both cases. Kosovo Serbs and Kosovo Albanians alike, in substantial majority, believe that the association/community of Serb-majority municipalities will increase the security of Kosovo Serbs.

In their annual reports, the EU and the World Bank continue to highlight low levels of employment generation, and the exceptionally high rate of youth unemployment, as fundamental issues to be tackled in Kosovo. Young people unable to find opportunities within accepted parameters are vulnerable to the temptations of alternative narratives, including extremism.

Regardless of these familiar dichotomies between political issues and ground-level concerns, the European perspective remains a force for stabilization throughout the Balkan region. The dialogue process delivered progress during this period, including on the freedom of movement, and in recent days a breakthrough was announced on the telecommunications issue. In contrast, there have been few visible signs of progress on the implementation of the community/association of Serb-majority municipalities.

Ultimately, political and societal reconciliation processes must reinforce each other. I hope that political dialogue is what awaits Kosovo in 2017, accompanied by the necessary progress at the community level. In those efforts, the roles of the EU and the United Nations continue to converge.

I take this opportunity to praise some of the excellent efforts towards reconciliation at the municipal level, where municipal authorities have listened and responded to the concerns of their communities, resulting in real progress. In Ferizaj/Uroševac, the Mayor appointed a Deputy Mayor for communities, despite being under no obligation to do so. The municipal authorities responded to a request for assistance to clean and secure a Serbian Orthodox cemetery, and undertook to provide ongoing support to maintain the cemetery. In Fushë Kosovë/Kosovo Polje, the municipal authority approved the allocation of funds to clean three Serbian Orthodox cemeteries. In North Mitrovica, the long-standing barricade on Prince Milos Street was quietly and voluntarily removed on the evening of 28 October.

Unfortunately, exceptions do exist. The declaration by the Suhareka/Suva Reka Municipal Assembly in late October, opposing the return of Kosovo Serb, is regressive and regrettable. The absence of a response by the Kosovo governing institutions is disappointing. The pain caused by the unresolved cases of missing persons is real and understandable, but the right to a safe and dignified return is also fundamental. An opportunity to demonstrate a commitment to reconciliation has been missed.

I wish to highlight the progress in efforts to advance the rule of law in Kosovo. Commitment to the impartial application of the rule of law should be recognized and supported. There is deserved recognition for the determination to pursue cases of high-profile corruption, including the investigations into organized criminal activities a few members of Kosovo's political class. A clear distinction should be made between individual and institutional responsibility. While the

Assembly of Kosovo moved to adopt a resolution on the values of the Kosovo Liberation Army, it is individuals who have been convicted of crimes, and not groups or organizations.

One week ago, I had an opportunity to meet with David Schwendiman, the newly appointed Specialist Prosecutor of the Kosovo Specialist Chambers. He informed me that preparations for the full functionality of the Specialist Chambers were well advanced. The integrity of the judicial process requires that all parties refrain from seeking to exert improper influence or sway public opinion, including through unfounded speculation about the specific content of the judicial process. The death in custody of Vetëvendosje party activist Astrit Dehari has raised concerns and provoked indignation in many quarters. In the light of the many questions that have been raised, an objective, thorough and transparent investigation into that incident is essential.

Violent extremism and terrorism are evolving threats in Kosovo and the region. Countering those threats requires a holistic approach in which law enforcement is one essential component. Last week, the authorities in Kosovo arrested a number of individuals who had allegedly been recruited by extremist militants in Syria to plan and conduct attacks in Kosovo and the region. Kosovo's security bodies deserve special commendation for their vigilance.

As I have reported to the Security Council, UNMIK is steadily adapting itself so as to more effectively address the contemporary challenges in Kosovo. A logical optimization of our existing resources is helping to ensure that the Mission discharges its mandate in a focused and constructive manner, together with all of its partners. Of crucial importance is the Mission's relationship with the Kosovo institutions, and I am pleased to confirm that the improvement in relations reported in the Secretary-General's most recent report on Kosovo is continuing. Among the many benefits for all parties, that improved communication helps the Mission to ensure accurate and balanced reporting on the situation in Kosovo.

As highlighted by members of the Council in past meetings, we can all help to advance the cause of reconciliation. Empirical data from knowledge products such as the surveys I mentioned help to update our understanding of the real concerns among the different geographic and ethnic communities. What did not work yesterday might work today. That concept, and constructive innovation in general, should guide our endeavours.

To play our part in supporting a better future for all people in Kosovo, the Mission continues to rely upon the support of the Council. I thank the Council sincerely for that support.

The President (*spoke in French*): I thank Mr. Tanin for his briefing.

I now give the floor to Mr. Dačić.

Mr. Dačić (Serbia) (*spoke in Serbian; English text provided by the delegation*): I would like to take this opportunity to thank Mr. Zahir Tanin, Special Representative of the Secretary-General, for introducing the Secretary-General's report (S/2016/901) and for his overall engagement in the achievement of the mandate of the United Nations Interim Administration Mission in Kosovo (UNMIK), in accordance with resolution 1244 (1999). I also salute all Members of the Security Council and and take this opportunity to inform the Council of the importance of the continued consideration by this organ — every three months — of the situation in Kosovo and Metohija, with the aim of creating conditions for the unhindered implementation of the UNMIK mandate and as a way of supporting the dialogue process between Belgrade and Pristina that is being faciliated by the European Union (EU). I also take this opportunity to thank His Excellency Secretary-General Ban Ki-moon for his contribution to the work of the Organization during his tenure, as well as to wish success to his successor, His Excellency Mr. António Guterres.

Notwithstanding numerous challenges, the Republic of Serbia has demonstrated time and again its clear commitment to solving the outstanding issues through dialogue, within a status-neutral framework that is guided primarily by the interests of regional stability and the creation of conditions for economic prosperity and the progress of the region in the process of EU accession negotiations.

The agreement on telecommunications was recently reached due to the efforts of the Republic of Serbia, whereby a contribution was made to the implementation of the Brussels Agreement. Yet our readiness to seek sustainable solutions through negotiations conducive to a better life for the people of Kosovo and Metohija has frequently not been reciprocated with the same approach

from the other side, which regrettably continues to resort to unilateral and evidently very detrimental moves, such as the recent unheard-of attempt by the Provisional Institutions of Self-Government (PISG) in Pristina to confiscate the Mining, Metallurgy and Chemical Combine at Trepca.

Let me point out that, ever since the inception of the dialogue, Serbia has insisted, during almost every round and at every level, that the question of property be included in the agenda, and yet Pristina has always refused to talk about the matter. Such actions by Pristina, which instil an atmosphere of unilateral imposition, fait accompli and ultimatum instead of solving outstanding issues through dialogue with the aim of finding acceptable solutions for all involved parties, as has been done in the past, are not in the interests of regional peace and stability at all.

As the Council may well know, in 1999 UNMIK undertook to oversee the Mining, Metallurgy and Chemical Combine at Trepca under resolution 1244 (1999). UNMIK transferred the combine management rights to the Kosovo Trust Agency, established by UNMIK itself in 2002. Following the illegal, unilateral declaration of independence by Pristina in 2008, the Privatization Agency of Kosovo was established, which took over the competencies of the Kosovo Trust Agency, which has not been approved by UNMIK to this day. The illegal Privatization Agency of Kosovo then proceeded to privatize State- and community-owned property in the province, to the extent that, through the persistent pursuit of abusive practices for which no legal basis exists in resolution 1244 (1999), Pristina unilaterally privatized about 70 per cent of State- and community-owned property in the province. At the same time as the unlawful privatization, Pristina went on to seize the private property of Serbs and of the Serbian Orthodox Church. That widespread ill practice was carried out, by and large, by way of the submission of fraudulent documents issued by Kosovo institutions to local Albanians.

The adoption of the law on Trepca was done in gross violation of the basic principles of resolution 1244 (1999) and the constitutional framework for provisional self-government in Kosovo. The latter, let me recall, specifies explicitly that the authority to administer public-, State- and community-owned property, in accordance with the relevant UNMIK legislation, as well as the regulation of public- and community-owned enterprises, are powers and responsibilities reserved for the Special Representative of the Secretary-General. That law, I emphasize, was adopted by the PISG without participation by UNMIK or consultation with the owners/shareholders of Trepca, representatives of the municipalities in the territories on which the Trepca mines and plants are located or representatives of Serbs in the PISG. Let me remind the Council that Serbs are part of the Government of Kosovo and the Trepca North management and employees. Those unilateral actions by the PISG induce legal insecurity that may seriously threaten the fragile security situation in Kosovo and Metohija. Particularly disconcerting is the fact that the law disrupts lastingly sustainable economic development, without which the ethnic structure in the Serbian communities in the north of the province is untenable.

By those actions the PISG in Kosovo and Metohija have patently crossed the bounds of their mandate and confiscated the private property of Trepca, thus affecting the owners/shareholders, creditors and the employees in a direct way. They did so contrary to the principles of international law against such types of confiscation, as well as a number of international instruments guaranteeing the right to the peaceful enjoyment of property, prohibiting discrimination and promoting equality before the law, such as the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the European Charter of Local Self-Government and so forth. Also, the law runs roughshod over the basic principles of the free market and competition and is in direct contravention of the Stabilization and Association Agreement between Pristina and the European Union and of the Central European Free Trade Agreement.

Pristina is in the process of transforming, without any legal basis or justification, the largest economic giant in Kosovo and Metohija into the property of the so-called Republic of Kosovo, while denying Serbia any rights whatsoever, even though it is the majority shareholder in the corporation. That is a serious attack on the interests of the Serbs, including 3,000 of them working in Trepca. It is estimated that about 38 per cent of Serbian families directly or indirectly depend on it. Property and the right to property are sacrosanct, particularly in the democratic world, and who owns Trepca is only too apparent. The companies and citizens

of Serbia who built it own it, and no unlawful decision of the Kosovo authorities can change that.

Proceeding therefrom, the Government of the Republic of Serbia decided to make all legal consequences of the acts and actions of the PISG in Pristina relative to the legal and physical status of Trepca null and void. Desirous of ensuring that Trepca, which is of vital importance for the survival of the Serbs in the province and for the economic development primarily of the municipalities of Kosovska Mitrovica, Zvečan, Leposavić and Zubin Potok, as well as of Novo Brdo and Gračanica, the Government took action and made a decision. The attack on Trepca is not only an attack on one company, it is also an attack on the right of a people to exist in a territory and an attack on the very provisions of resolution 1244 (1999), on which peace and stability in the province rest.

Trepca is the lifeblood of the Serbs' existence in northern Kosovo and Metohija. Serbian homes sit on Trepca's land, and thousands of Serbs work in Trepca's mines and support their families by that work. For them the defence of Trepca is the defence of their right to exist in Kosovo. In that sense, the attempt to seize it from its lawful owners is also an attempt to finalize the ethnic cleansing of the Serbs and to bring into question the ethnic composition of Serbian communities in the long term. This is not acceptable.

Not only do the authorities in Pristina usurp the property of the State of Serbia in Kosovo and Metohija through the law on Trepca; in article 5 the law states that the so-called Republic of Kosovo will also appropriate mineral resources in other parts of Serbia, outside of Kosovo and Metohija, which is complete legal nonsense.

Serbia remains open to seeking a peaceful and sustainable solution to this situation, which is not of its own making, in the belief that resolving all questions and problems through dialogue and agreement is the only right way forward. In that context, we expect Security Council members to bring the force of their authority to bear and have the law annulled, thereby preventing its negative legal and security consequences from jeopardizing the stability of Kosovo and Metohija and the region, as well as enabling the process of dialogue and the normalization of relations. Otherwise, Kosovo and Metohija will become a black hole in Europe without any protection of private property.

I would like to point out, as I did at previous meetings of the Council, that the establishment, within the shortest period of time, of the Community of Serb-majority municipalities, as a mechanism for the systematic institutional protection of the Serbian community in Kosovo and Metohija, is of paramount importance for the survival of the Serbian people in the province. Unfortunately, instead of being the central issue and acted upon as a matter of priority, the establishment of the Community has become the subject of political blackmail. Our side insisted in the past period that the dynamics of the establishment of the Community be worked out and that the date for the management team to commence its work be determined. The Community of Serb-majority municipalities is to be based only on agreements already reached in the dialogue, and not on subsequent attempts to unilaterally alter the agreements reached with the facilitation of the European Union.

The process of establishing the Community of Serb-majority municipalities must not be allowed to drag on and be threatened by unilateral acts that send messages of disenfranchisement to the Serbian people in Kosovo and Metohija. One such message is the law on strategic investment in Kosovo, which, if implemented, would provide Pristina with cover to contract capital projects directly, without tender offers; for the participation of the institutions of local self-government; and to possess and sell general assets arbitrarily to the detriment of the status and interests of the Serbian people in the province. That law was adopted contrary to the procedure that provides for the adoption of laws of vital interest to local communities, eviscerating the Community of Serb-majority municipalities by infringing on the competencies that under the agreement belong quite explicitly to that Community to be.

It is clear that this legislative provocation by Pristina is aimed at making the Community of Serb-majority municipalities an empty shell and preventing Serbs from making decisions with regard to their economic development and urban planning. The theft of Serbian property in Kosovo and Metohija, such as the failed attempt to seize the tourist complex on Mount Brezovica, cannot be legalized by any law. It is therefore necessary to return to the negotiating table, as the unilateral acts do not benefit anybody.

The situation in Kosovo and Metohija continues to be characterized by the absence of physical and legal security for Serbs, especially for internally displaced persons (IDPs) who have returned or would like to return home. IDPs are prevented from participating in

developing the law on the Kosovo property comparison and verification agency, which is yet another inadmissible and frightening example of the attempt to seize Serbian property in outright contravention of the agreement on cadastre reached within the dialogue conducted with the facilitation of the European Union. All along, thousands of Albanians are being inscribed in the cadastre as owners of the property of IDPs by way of submission of fraudulent documents, while no special mechanism has been provided to notify IDPs of the proceedings instituted in connection with their property.

Another method of discouragement of returns, especially in the region of Peć, is the dissemination of information in the Kosovo media of the issuance of indictments for war crimes against a large number of Serbs, almost as a rule against IDPs reporting for return. IDPs are repeatedly being attacked, with the frequent use of firearms and explosive devices, while acts of desecration against Orthodox graveyards and memorial plaques of abducted or murdered civilians are on the rise. Attempts to prevent IDPs from observing religious holidays, as was the case in Djakovica and Mušutište, continue unabated. In addition, religious extremism, compounded by terrorism and the activities of radicalized extremists returning from battlefields and terrorist group formations, has dramatically increased in Kosovo and Metohija. That exacerbates the polarized political environment, which is replete with tensions and tear gas democracy and persistent violence against the members of Serbian and other non-Albanian communities.

Security in Kosovo and Metohija has always been in short supply and marked with escalating violence. As a rule, returnees to ethnically mixed communities are the most vulnerable. It is therefore hard to understand why there is reduced focus and space on security observations in the report of the Secretary-General. It is for that reason that we propose that new chapters on the situation in the communities south of the Ibar River, on obstacles aggravating or preventing IDP returns, on property rights and impunity for ethnically motivated crimes be included in the quarterly reports of the Secretary-General.

Let me also point out that the monotonous recitation of incomplete statistics on attacks or the life and property of members of non-Albanian communities serves but to cast a pall of relativity over the civilizationally inadmissible phenomenon of persecution on an ethnic and religious basis. The report would be much more informative if, in addition to statistics, it advised of how competent institutions — including police, public prosecutors and the judiciary — reacted, and if it provided data relative to investigations, the search for perpetrators, indictments, criminal or civil trials and the types of sentences handed down, along with the terms of their validity and enforcement in cases of ethnically motivated criminal offences. Without institutional reaction, all attacks and other offences against Serbs are being depersonalized and reduced to statistics, which leads to the tolerance of a climate of impunity of ethnically motivated crimes against Serbs in the long run. Providing data on the outcome percentages related to such criminal offences would therefore be very informative indeed.

Instances of desecration against the spiritual heritage of the Serbian people in Kosovo and Metohija are many. The last such instance was the arson that took place in the Church of Christ the Saviour in Pristina at the beginning of September, of which I also made mention in my previous statement to the Council (see S/PV.7760). Let me remind the Council that that is an unfinished church that was converted into a public lavatory and a podium to shoot music videos featuring scantily clad singers. As if that were not enough, unknown persons broke into the church and set it afire. That contemptible act is an outright consequence of the refusal of the Kosovo authorities and police to provide round-the-clock protection to the church, which has been frequently broken into and desecrated. That incident was preceded by protests by Kosovo and Metohija Albanians who time and again manifested unchecked hostility towards the Serbian Orthodox Church and the Serbian people in the province, the targets of systematic ethnic terror for the past 17 years.

The church, the only remaining trace and symbol of the presence of Orthodox Christianity in downtown Pristina, in which more than 40,000 Serbs lived before 1999, has been designated for destruction, just as every other Serbian thing destroyed or expelled from Pristina and many other places in Kosovo and Metohija. For weeks, the Pristina authorities bulldozed each and every square foot of the land surrounding the church, in an attempt to link it in whichever way with war crimes; once they failed, the arson ensued. The extremists calling for the destruction of the church or its seizure from the Serbian Orthodox Church and conversion are in fact calling for the continuation of

ethnic cleansing and the denial of basic religious rights and freedoms to the Serbian people, thus violating the civilizational norms of the present-day world. They fan the flames of ethnic and religious extremism and radicalism and hamper stabilization and reconciliation. Furthermore, reflecting Pristina's true attitude towards the cultural and religious heritage of the Serbs, they are at the same time indicative of how right Serbia was to oppose Kosovo's admission to UNESCO. Those who destroy, set ablaze or desecrate Serbian churches cannot be their keepers. Perhaps those who supported the admission have now come to realize to whom they wanted to entrust the protection of the Serbian heritage in the province.

Because basic conditions for sustainable returns do not exist, the number of returnees to the province continues to be lamentably low. I submit that that is a defeat for all those involved in the process of return. It is incumbent upon all of us to change that situation and to create conditions in which IDPs are given a real choice, in deeds and not only in words, between return and local integration. To do so, though, we must see to it that basci conditions be fulfilled in places of return with regard to personal and property security. The rule of law, non-discrimination, full respect for basic human and civil rights and a step away from politics, which deepens the gap among communities on a national and religious basis, are the necessary preconditions for normalizing relations and finding solutions to questions relative to IDPs from Kosovo and Metohija. It is important to keep such people in the focus of the international community, and of the United Nations in particular, despite the numerous problems the world faces, including the current refugee and migrant crisis, all the more so as this is exactly a question that explicitly falls under the UNMIK mandate. The international community must not allow those people to be forgotten. It is not enough to note that the level of returns is unacceptably low; the reasons for the failure should be analysed instead. The failure is attributable primarily to the rigid attitude of the majority community, as well as of its political leaders, towards the return of displaced Serbs.

Let me remind the Council — and, when speaking about Kosovo and Metohija, the Secretary-General should also recall in his reports and remind each of the members of the Council — that truly sustainable returns have been realized only by 1.9 per cent of internally displaced persons. Does the Security Council believe that that is a topic that should no longer be discussed? If not, the Council would call on Pristina to create the necessary conditions and appeal to people to return to Kosovo. We cannot allow that to be forgotten. I hope that none of the countries represented in the Council will operate with double standards now that it pertains to Serbians who are displaced. That is why I recall, once again, that the Security Council adopted a resolution giving a mandate to the Mission to enable the return of internally displaced and persecuted persons from Kosovo, whether Serbs or Albanians. Only 1.9 per cent of Serbs have returned. That percentage accounts for approximately 4,000 internally displaced persons. One of the reasons for that is the disregard for communities south of the Ibar River, which increases their feeling of being isolated, sidelined and left to their own devices.

Each and every time the representatives of Pristina utter their accusations of alleged genocide and ethnic cleansing of Albanians, please remember my remarks from our previous meeting that, out of 427 localities in which they lived until 1999, Serbs were expelled from 311. Today no Serbs are present there. More than 220,000 were expelled.

Let us remember the victims of the monstrous crime of trafficking in human organs, testified to by Mr. Dick Marty, Special Rapporteur of the Parliamentary Assembly of the Council of Europe, in his report. Let us remember the abducted and disappeared Serbs and other non-Albanians from Kosovo and Metohija, the fate of whom is unknown 17 years after the conflict. More than 1,000 Serbs have been killed since 1999. The number of their killers against whom legally valid sentences were handed down still amounts to zero.

Let us remember Father Chariton, the martyr bestially killed in my native Prizren in June 1999. He was decapitated in the same way in which, to the consternation of the entire world, the terrorists of the Islamic State in Iraq and the Levant behead their innocent victims today. His headless body was found with his arms and backbone broken and with stabs in his heart, gruesome evidence of the torture of Albanian extremists to which he succumbed.

Let us remember the March pogrom of 2004, in which 19 Serbs were killed and 900 wounded, despite the international presence in the province. Nine hundred and thirty-five Serbian, Roma and Ashkali houses were set afire. Six towns and 10 villages were ethnically cleansed. About 4,000 men and women were expelled

from their homes. Thirty-five churches were destroyed, burned or desecrated, many of which were built as early as the fourteenth century. The abbey of Devič, which was founded by the Serbian Despot Durad Branković in 1434, was also burned that March, while those who set fire to Mother of God Ljeviška Chuch, which is on the UNESCO World Heritage List, burned automobile tires so that fire quickly incinerated some of the most beautiful icons from the first half of the fourteenth century, which represents some of the cultural heritage of the world.

Let us remember the numerous instances of vandalism on Serbian cultural and religious heritage throughout the province, unbecoming of modern-day Europe and the civilized world. Since June 1999 and the cessation of the armed conflict, 236 churches, monasteries and other facilities owned by the Serbian Orthodox Church, as well as historic-cultural monuments, have been targets of attack. One hundred and seventy-four religious sites and 33 historic-cultural monuments have been destroyed. There are no undamaged tombstones in most Serbian cemeteries, while south the Ibar River no monuments from Serbian history remain intact. No localities south of the Ibar River have streets today with Serbian names, as most of them have been renamed to bear the names of the members of the Kosovo Liberation Army, who are proven terrorists and perpetrators of monstrous crimes. The message sent to the Serbs is very clear indeed: those who killed and expelled them now pass as national heroes, and monuments are erected and streets and public institutions are renamed to glorify their names. Those instances of institutional violence in present-day Kosovo and Metohija are part of the strategy aimed at erasing the traces of the centuries-long presence of the Serbian people and State and legitimizing the results of the ethnic cleansing of the Serbian people.

The representatives of Pristina continue to repeat their false accusations, which are based on the premise that a lie told 1,000 times becomes a truth. Let us remember all that I have said. Those lies cannot change the fact that Kosovo is not and cannot be a State. Kosovo is nothing but the product of a violation of international law, the principles of the Charter of the United Nations and the postulates on which modern civilization was built. Ethnic cleansing, mass violations of the human and civil rights of non-Albanians, and the destruction of the cultural heritage that belongs not only to the Serbian people but also makes up a part of Europe's and the world's cultural heritage, all make up the foundation of the self-declared fake State of Kosovo.

The best evidence of the civilizational immaturity of those professing to be the leaders of the Albanian people in Kosovo and Metohija is the recent adoption — and please listen carefully to this — in the Kosovo Parliament of a cynically entitled "Resolution on the protection of the values of the Kosovo Liberation Army". That shameful resolution is predicated on the assumption that crime is of positive social value. If the seizure of property and the torturing and killing of civilians, as well as the ambush of journalists and ambulances, can be called values, then the terrorist Kosovo Liberation Army does deserve to have a resolution devoted to it. It is not known that any Parliament in the world, except perhaps during the Second World War, ever adopted a resolution glorifying criminals and terrorists. Yet the Parliament in Pristina has managed to make itself unique once again. Not a modicum of censure of terrorism and violence is to be found in the resolution, which also makes no mention of the "yellow house" in which people had their organs ripped, of the abductions, of the rapes or of the pogroms of Serbian and other non-Albanian civilians, which represent the true values and legacy of the Kosovo Liberation Army. For those reasons I say to the members of the Security Council — who are also representatives of civilized society — that that act by the highest legislative body in Pristina deserves the strongest possible condemnation.

It is exactly in that way that the Parliament in Pristina sent a clear message to the entire international community, including those sitting here in the Chamber, about what the Parliament thinks of the Specialist Chambers — which Mr. Tanin referred to and which other speakers likely will as well — and the crimes of the Kosovo Liberation Army that those Chambers are supposed to verify and punish. That means that the Parliament in Pristina, which adopted the necessary legislation for the commencement of the work of the Specialist Chambers in The Hague, has sent an unequivocal advance notice as to what we can expect going forward in the process of establishing accountability for the crimes committed against the Serbs and other non-Albanians.

That also shows that the visits by Hashim Thaçi to monuments and in connection with the farmers killed in their fields at Staro Gracko in July 1999 and the children killed at Goraždevac in 2003 while they were

playing on the banks of the village stream are nothing but an act of one-shot unsuccessful political marketing.

The assessment from the report before us states that

> "[l]eading by example helps to change attitudes in wider context and gives optimism for the potential for reconciliation to succeed at the social level."(*S/2016/901, para. 22*).

Let me remind the Council that nobody was held accountable for those crimes and that, in all likelihood, nobody ever will be. Only time will tell if those visits will be transformed into a concrete positive step forward in the furtherance of security and respect for the rights of non-Albanian communities. Once the perpetrators are identified and tried, we will certainly commend Mr. Thaçi's visits. For the time being, though, not just those crimes, but no crime to date committed in Kosovo since 1999 has been punished.

In the interest of regional stability, our side will continue the dialogue between Belgrade and Pristina. The dialogue is aimed primarily at addressing the everyday vital problems of the people living in Kosovo and Metohija and at normalizing relations. We will not abuse the dialogue as a platform to ram through the independence of Kosovo. Let me recall that the essence of each and every dialogue, including the one in Brussels, is to achieve agreements, and not impose solutions. The role of the international community is to help achieve compromise, rather than assist one side in imposing its interests. That is true in particular of the Community of Serb-majority municipalities, which is of paramount importance for the Serbian community in Kosovo and Metohija.

Serbia will never recognize the unilateral declaration of independence of Kosovo, but it will continue the policy of seeking peaceful solutions of this question on the basis of a responsible approach and the full implementation of the agreement reached within the Brussels dialogue. Regardless of the numerous challenges and frequent manifestations of non-constructiveness and the only-too-evident propensity to resorting to half unilateral steps, we will continue to be committed to working towards the normalization of relations. We do not want the situation in Kosovo and Metohija to be a latent threat to the stability and progress of Serbia or the region. We will therefore work with dedication on solving disagreements peacefully, being aware that a long process is in front of us and that, to make things more difficult, we often do not have a proper interlocutor, one who shares our vision of a region aspiring to reconciliation, the rule of law and democratic values.

I call on States that have not recognized the unilateral declaration of independence of Kosovo to stay loyal — despite the pressure to which many of them have been exposed — to their principles of respect for international law, the Charter of the United Nations and the supreme authority of the Security Council for safeguarding international peace and security, whose resolution 1244 (2000) confirms the sovereignty and territorial integrity of the Republic of Serbia. They should always bear in mind that the support of the international community is key to the success of the dialogue between Belgrade and Pristina. Each and every change of position of the countries that have not recognized the independence of Kosovo would negatively affect the continuation of the constructive approach of the parties in the dialogue and the implementation of the agreements reached.

At the same time, I also call on various countries that have recognized the unilateral declaration of independence of Kosovo to seriously reassess their decisions and contribute in that way to the efforts aimed at finding a mutually acceptable solution to the question of Kosovo and Metohija. That is what we are asking for — a chance for dialogue and an agreement instead of unilateralism, instead of unilateral acts. We expect Council members to lend their support, while keeping mind the values enshrined by the United Nations, and to repudiate the rampant propaganda and outright lies whereby we keep being told perpetually by the representatives of the PISG in Kosovo at Security Council meetings.

In conclusion, let me point out once again that Serbia continues to be firmly committed to peace, dialogue, reconciliation and regional stability — in a word, to lasting solutions that will lead us to the future instead of to the conflicts of the past.

The President (*spoke in French*): I now give the floor to Ms. Çitaku.

Ms. Çitaku: As always, it is an honour to come to speak before the Security Council on behalf of the Republic of Kosovo.

The countries that Council members represents have put so much effort into bringing about peace and stability in the Western Balkans, and for that we

will be forever grateful. We Kosovars are living proof that, when there is solidarity among the free nations of the world, when there is courage and goodwill, life overcomes death and good prevails over evil. The Security Council members have spent countless hours negotiating and adopting dozens of resolutions and presidential statements concerning the situation in Kosovo. Furthermore, the tax payers' money of Member States was spent for the United Nations Interim Administration in Kosovo (UNMIK) to be deployed in Kosovo in the immediate aftermath of the war. We in Kosovo remember very vividly goming back to our homes in 1999 and finding everything in ashes. Fortunately, thanks to the Council's hard work and commitment, we were not alone. The United Nations and its agencies were at the forefront of our efforts to build peace and stability. Again, for that we will be forever grateful.

It is precisely because of that profound feeling of gratitude that we in Kosovo somehow feel uncomfortable that, every three months, we come back here to the Chamber, taking up the Council's valuable time, when we all know that the world we live in today has way too many pressing issues demanding the Council's attention.

Let us just do a quick reality check. First, this is 2016, not 1999. Secondly, as of 17 February 2008, Kosovo is no longer administered by the United Nations. Kosovo is a free, independent and sovereign State that is recognized by the overwhelming majority of the free nations of the world. Those facts are irreversible. The clock of history cannot be turned back. But yet we come here every three months to hear from my colleagues from Serbia about a parallel universe in which Kosovo's statehood is inexistent; in which Kosovo Albanians committed ethnic cleansing; in which the oppressor becomes the oppressed; in which Milošević is the hero and the Kosovo Liberation Army, an army that fought for liberation, is a terrorist group; and in which Kosovo violated international law, while Serbia was trying to protect it. That is the parallel universe that my colleagues from Belgrade try hard to portray.

In the real world, as I said, Kosovo is free, independent and sovereign — and that fact will not change. It is not only that we did not violate international law but, at Serbia's request, the International Court of Justice issued a clear and unambiguous separate opinion in its advisory opion on the *Accordance with internatinoal law of the unilateral declaration of independence in respect of Kosovo* (see A/64/881). I shall quote part of it, as I am sure Council members have seen it:

> "No State can invoke territorial integrity in order to commit atrocities (such as the practices of torture, and ethnic cleansing, and massive forced displacement of the population), nor perpetrate them on the assumption of State sovereignty, nor commit atrocities and then rely on the claim of territorial integrity notwithstanding the sentiments and ineluctable resentments of the 'people' or 'population' victimized. What has happened in Kosovo is that the victimized "people" or "population" has sought independence, in reaction against systematic and long-lasting terror and oppression, perpetrated in flagrant breach of the fundamental principle of equality and non-discrimination. The basic lesson is clear: no State can use territory to destroy the population. Such atrocities amount to an absurd reversal of the ends of the State, which was created and exists for human beings, and not vice-versa." (*A/64/881/Add.1, para. 176*)

While we in Kosovo will never shy away from and remain committed to bringing justice to all the victims, regardless of their ethnicity and background, we are not seeing the same level of commitment from our neighbour to the North. Kosovo has taken unprecedented measures to address the alleged crimes by establishing the Specialist Chambers. Cooperation with international and local justice has never been a subject for negotiation in Kosovo. We want justice for all, because that is the only way we can bring peace to all the families that have lost their loved ones. In Kosovo we do not fear justice, because we have nothing to hide. Our cause and our war were just.

While we have gone to great lengths to address all the allegations made against us, Serbia has been anything but willing to prosecute war crimes. I have said it before in this Chamber, and I will say it again — 20,000 women were raped in Kosovo during the war. The number of people indicted for that is zero. Again, 1,262 children were brutally killed, and the number of people indicted is also zero. Thousands are missing, and there are very clear traces of the institutional chain of responsibility and command used to hide its tracks. As has been documented, the Serbian Government went so far as to erect buildings in the

mass grave sites. I will say it once again — the number of those indicted is zero.

There can be no reconciliation without accountability and justice. As we reaffirm our commitment to inter-State dialogue between Kosovo and Serbia, mediated by High Representative Mogherini, I must stress that we in Kosovo are not satisfied with the pace of the implementation of the agreements that have been reached. A few days ago, our delegations agreed on the dialling code for Kosovo. That is certainly great news, as it will strengthen our independence and bring millions of dollars to our budget. However, I should remind the Council that we also celebrated agreement on the dialling code a year ago.

Our scepticism about the success of that dialogue is also amplified by Serbia's constant violations of the agreement on freedom of movement. Two Kosovo citizens, one of them a regional police commander, were recently arrested and detained under arrest warrants issued by the Serbian authorities. They were released — after being held in prison unnecessarily and for far too long — because no reasonable charges were brought against them. The Serbian authorities claim to have lists of arrest warrants against hundreds of Kosovan Albanians. That is absolutely unacceptable. Serbia has no jurisdiction over Kosovan citizens. Actions such as those we have witnessed recently are not only legally wrong, they also directly undermine our efforts to normalize the region and improve freedom of movement. Because they fear arrest, Kosovan Albanians do not feel comfortable travelling through Serbia any more. And this is not the first time that Serbia has violated international law and abused the agreement on freedom of movement reached in the high-level dialogue in Brussels. It is a demonstration of the Serbian Government's attitude in insolently provoking Kosovo's Government.

If we look back, however, it is not only former members of the Kosovo Liberation Army who have persistently featured on Serbia's wanted lists. I would like to recall here Serbia's lists of arrest warrants issued even for various Western leaders, who include former President Bill Clinton, Secretary of State Madeleine Albright and Secretary of Defense William Cohen of the United States; former President Jacques Chirac and Premier Lionel Jospin of France; former Prime Minister of Britain Tony Blair; former Chancellor Gerhard Schroeder of Germany; and many other ministers of foreign affairs and defence. The former NATO Secretaries-General Javier Solana and George Robertson and former NATO Supreme Commander in Europe, General Wesley Clark, were also among those accused. The bottom line is that the process of normalizing relations between Kosovo and Serbia does not end in Brussels, where the agreements are signed. They are meaningful only when they are implemented in our own countries.

Another clear demonstration of Serbia's lack of sincerity regarding normalization is the outrage that Belgrade has expressed over the new law we recently enacted concerning the Trepça mines. Serbia has also exploited the Serbian community in Kosovo as a means to its ends. The Trepça mines are in Kosovo, they belong to Kosovo and they will be managed by Kosovo. The Trepça law accords fully with Martti Ahtisaari's comprehensive proposal on Kosovo's final status and with our Constitution. And it was specifically UNMIK that assigned full authority over and management of public and socially owned enterprises to the-then Kosovo Trust Agency, which later became the Kosovo Privatization Agency. I know that my colleague has distributed complete background information on the new law to everyone here.

Serbia has no legal basis supporting its allegations about property rights relating to public property and enterprises located within the territory of the Republic of Kosovo. Any such efforts will meet with strong opposition from the Government and the people of Kosovo. Such behaviour undermines the normalization of relations between the Republic of Kosovo and Serbia. There is no legal basis to the claims of the Serbian authorities; their words and actions only exhibit colonial tendencies towards Kosovo. The time when decisions for Trepca and other Kosovo resources were made in Belgrade is over, once and for all.

On 13 October, 11 Members of Parliament representing the Serbian community in Kosovo sent a request to the Constitutional Court of the Republic of Kosovo to review the applicability of the Law on Trepca with the provisions on property protection and the rights of communities of the Constitution of the Republic of Kosovo. On 31 October, the Constitutional Court of the Republic of Kosovo ruled that Law No. 05/L-120 on Trepca is in compliance with the Constitution. The ruling stated that Kosovo-Serbian Members of Parliament did not substantiate their allegations on constitutional grounds and did not provide evidence indicating how and why the challenged law on Trepca

has violated the Constitution, either in procedure or in substance.

The Court further commented that the law on Trepca is not limited to one or another ethnic community in Kosovo but is designed for the well-being of the whole of society. There is no evidence as to how and why Kosovo Serbs would be damaged this this law; quite the opposite is true. Making Trepca and other Kosovo resources fully functional means permitting and allowing all Kosovo citizens to work and prosper. We hope that Serbian representatives in Kosovo will start making their own decisions without any fear or pressure from Belgrade, and that they decide to re-engage in the parliamentary and institutional life. That is the only way forward.

Allow me to also take this opportunity to also address the preliminary observations of the Special Rapporteur, Ms. Karima Bennoune.

As to the number of displaced people, to claim that 200,000 thousand Serbs were displaced after the war from Kosovo is factually incorrect. If that had been the case, then no single Serb would be living in Kosovo today. According to the census organized in 1991, at a time when Kosovo was under Serbian occupation, the number of Serbs living in Kosovo was 194,000. Unfortunately, to this date we still do not know the accurate number of Serbs living in Kosovo. That is because when Kosovo institutions organized the census in 2011, the Government of Serbia unleashed a very aggressive campaign to discourage the participation of the Serbian community. The smear campaign went so far as to label registration in the census as an act of betrayal. For us, this is not about numbers; even if only one Kosovo Serb cannot return, for us that is one too many.

At the same time, we must also remember that not all Serbs who fled Kosovo after the war were actually citizens of Kosovo. When the war erupted in Croatia and Bosnia and Herzegovina, entire neighbourhoods were built in several locations in Kosovo to accommodate Serbs who used to live in those parts of the former Yugoslavia. Some of them decided to stay, as is the case of the Marević family, which came to Kosovo in July 1995. Today, one of the members of that family is a Minister for Local Government in the Republic of Kosovo.

In addition, in line with our Constitution, dual citizenship is allowed. Kosovo Serbs who are also citizens of Serbia have a constitutional right to vote in the Serbian Parliamentary elections. In the absence of a Serbian embassy in Kosovo, the Organization for Security and Cooperation in Europe mission administers the process in Kosovo. According to data from the 2016 parliamentary elections, 106,094 voters in Kosovo were eligible to vote in those elections. Obviously, the numbers do not match up. Either the Serbian Election Commission inflated the number of Serb voters in Kosovo, or the number of Serbian displaced people is inflated.

We will only get the full picture once we organize the next census. We will spare no effort to create better living conditions for all Serbs living in Kosovo. Every citizen of Kosovo is free to return. The Kosovo Government has spent tens of millions on different projects, building homes and supporting sustainable return. As enshrined in our Constitution, Kosovo belongs to all its citizens. However, we also need to be cautious and work with the local communities, and not provoke unpleasant situations like the one we witnessed in late August in the village of Mushtisht in the municipality of Suharekë, when visiting Serbian pilgrims were met with protests from the Albanian villagers seeking justice for the crimes committed during the war in their village.

On 3 April 1999, the Serbian army, with the assistance of some local Serbs, deported the entire local Albanian population, killing 14 civilians and destroying, looting or burning down every single house in the village — 1,051 of them, to be more precise. According to the testimonies collected by several human rights organizations, 122 local Serbs were active members of the Serbian military and paramilitary forces. These are small communities where everybody knows one another. Everybody knows what happened, and everybody knows who did what, and yet no one was ever indicted for the crimes committed there. That is why justice is so important. It has been said time and time again by people much wiser than me that true peace is not only the absence of war, but the presence of justice. All victims in Kosovo, regardless of their ethnicity, deserve truth and justice. That is the only way we can build peace and reconciliation.

Another issue that is repeatedly brought to the Chamber by my colleagues from Serbia is the state of the Serbian Orthodox Church in Kosovo. Allow me to state that the Kosovo Constitution provides unprecedented rights for the protection of the Serbian Orthodox sites

in Kosovo. It is not only our constitutional duty to protect and preserve our shared cultural and religious heritage; it is also our moral duty. During the last war in Kosovo, Serbian forces destroyed 218 mosques and other historic or religious sites in my country, including centuries-old libraries. Unfortunately, we also saw scenes of attack and destruction in the March riots in 2004, when around 35 Orthodox sites were attacked. We in Kosovo condemned those acts in the strongest terms. Over $10 million were allocated in the budget of Kosovo to repair the damage, and many international donors have contributed with additional funds.

Religious tolerance has been the backbone of our society. Churches and mosques share the same yard in many cities in Kosovo. Interfaith tolerance had always functioned in Kosovo until politics decided to step in. There is only one Orthodox Church in Kosovo with which we have a problem, and that is the church that the Milosević regime decided to build on the premises of the Public University of Pristina. That is the church my colleague was referring to.

Let me remind those present that construction on that Church began in 1992, at a time when our autonomy was revoked and when the University of Pristina closed its doors to all Albanian students and professors, including my own. That object lately has become a source of tension, and the only heritage it bears is that of repression. It stands there as a reminder of a time when we were denied our most basic human rights. The Serbian Orthodox Church on the grounds of the University of Pristina campus was built illegally and by force as part of a campaign of repression, and we in Kosovo should preserve it as such.

Destruction is not the answer. That object should serve as a reminder of very difficult times, but it should also serve to persuade the clerics who accepted the illegal building of the church by Milosević to do some soul-searching and confront the role they played when they acted in unison with the Milosević regime. Kosovo is a secular republic. It is multireligious and multicultural, and we will fight to preserve it as such. Any attempt to change the fabric of our society will be meet with resistance by our people and action from our Government.

Just last week, thanks to the cooperation of Kosovo, Albanian and Macedonian law enforcement institutions, a terrorist group was apprehended. That is yet another reason why Kosovo must become part of the global family. Most of the challenges we face are borderless, and cross-border cooperation and coordinated actions and responses to those threats are necessary. We therefore regret that INTERPOL has decided to postpone voting on three applicant countries until the criteria for membership are revised. We believe that we should all be treated on individual merits. Kosovo's request to join should be considered because we meet the criteria. Transparency International highlighted in a report last week that the Kosovo police is the most credible and trusted police force in the region. We believe that not only Kosovo, but also INTERPOL would gain from our membership, and we are convinced that in the coming sessions our request will be put forward.

We in Kosovo are fully aware that there is much more work that needs to be done in order to meet the rightful expectations of the Kosovo people. Internally, we have realized that independence is not self-sufficient. People want more jobs, better education and health care. They want to be equal citizens of the global family of the free nations of the world. And it is our job to make sure that what we leave behind for the future generations is a republic in which everyone, regardless of ethnicity, gender, religion or sexual orientation, has equal opportunities to prosper. To achieve that goal, there is more that needs to be done, but it is a goal worth fighting for.

The President (*spoke in French*): I thank Ms. Çitaku for her statement.

I now give the floor to the members of the Security Council.

Mr. Delattre (France) (*spoke in French*): I thank the Special Representative of the Secretary-General, Mr. Zahir Tanin, for the very comprehensive briefing on the situation that he gave via video-teleconference from Pristina, and we reiterate our full support to him as he carries out his important functions. I also thank the First Deputy Prime Minister and Minister for Foreign Affairs of Serbia, Mr. Ivica Dačić, and the Ambassador of Kosovo, Ms. Vlora Çitaku, for the statements they have just delivered.

I will begin by once again recalling our desire to see a review of the regularity with which the Security Council considers the situation in Kosovo, given the improvement in the security situation and the progress that has been made in strengthening Kosovo's institutions. We also believe that those positive developments justify ongoing efforts to

reconfigure the United Nations Interim Administration Mission in Kosovo with respect to its structure, size, number of staff and activities. Alongside a number of our partners, we call on the Secretary-General to formulate recommendations along those lines in his forthcoming report.

France remains convinced that Kosovo's future is no longer being determined primarily within the Security Council, but rather through the political dialogue between Belgrade and Pristina under the auspices of the European Union. Although there have been tensions in the dialogue over the past few months, progress has been made. I am thinking in particular of the agreement on telecommunications of 13 November, the agreement on license plates for vehicles to facilitate traffic between Serbia and Kosovo, or the continuation of work on the Mitrovica bridge. We welcome these positive developments, which must have a concrete impact on the living conditions of the people on the ground. It is important in this respect that the technical aspects of these agreements should be implemented within the time limits laid down.

However, this progress is not sufficient. We therefore expect that all the commitments entered into under the agreements concluded under the auspices of the European Union will be implemented as soon as possible, including with regard to the creation of the association/community of Serb-majority municipalities. This is a key element of the dialogue. We therefore urge the Kosovo and Serbian authorities to intensify their efforts to produce even more concrete results in the months to come. The normalization of relations between Belgrade and Pristina remains in general a prerequisite for their respective advances towards European integration, which were further encouraged at the Paris-Balkans 2016 summit held on 4 July. We invite Serbs and Kosovars to engage on all subjects with a view to normalization, including on the Trepca issue.

Ongoing efforts to consolidate the rule of law in Kosovo must remain a priority. The integration of new Serbian personnel into the Kosovo judicial system is moving in the right direction. The reduction in the number of incidents involving minorities, as noted in the Secretary-General's report (S/2016/901), is also good news. However, we expect Kosovo to pursue its efforts in the fight against corruption and organized crime.

Stengthening the rule of law also requires the fight against radicalization in all its forms. France welcomes the unconditional commitment of Kosovo in this regard, both locally and within the Global Coalition against Da'esh. I also take this opportunity to reiterate our support for the European Union Rule of Law Mission in Kosovo, which contributes every day to the rule of law and security there. France also wishes to stress the need to ease the tensions of recent months on Kosovo's domestic political scene.

The construction of an independent, modern and democratic State requires the establishment of a calm and responsible dialogue between the various components of the political field, in compliance with the provisions of the Constitution and in the context of the proper functioning of existing institutions. We are particularly concerned about the tensions arising from the process of ratifying the border delineation agreement with Montenegro. In that context, the Kosovo authorities must continue to mobilize in favour of dialogue among the various political forces and the establishment of a peaceful and inclusive society.

Finally, I conclude by stressing that France will continue to support the efforts of the Kosovo authorities in favour of the international recognition of their State.

Mr. Lucas (Angola): We thank the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), Ambassador Zahir Tanin, for his briefing and insightful analysis of the situation prevailing in Kosovo. We welcome the participation in today's meeting of Mr. Ivica Dačić, First Deputy Prime Minister and Minister for Foreign Affairs of Serbia. We also welcome Ambassador Vlora Çitaku to this debate.

I shall start by reiterating Angola's stand on the issue of Kosovo's unilateral declaration of independence. For Angola, resolution 1244 (1999) continues to be the applicable legal framework for reaching a comprehensive solution for Kosovo through dialogue and negotiation based on the principles and purposes of the Charter of the United Nations and relevant Security Council resolutions.

Regarding the situation in Kosovo, the report of the Secretary-General on UNMIK (S/2016/901) describes a less virtuous situation by comparison to the previous three periods. Increasing tensions, political violence and public protests are on the rise, whether relating to the delineation of the border with

Montenegro, which remains the most contentious issue in Kosovo's political debate; the law on the Trepca mining complex, which has the potential to seriously undermine relations between Belgrade and Pristina; or the freeze of participation by Kosovo Serb members of the Assembly and the Government in official activities. Furthermore, the disruption of the work of the Kosovo Assembly, due to the aggressive actions and disruptive tactics of some parties, is a very negative development. In short, a number of sensitive issues — including the return of Serbs to their lands of origin — and political tensions between the Government and the opposition parties continue to undermine the normal functioning of Kosovo's institutions.

We welcome the commitment of the new Serbian Government, sworn in on 11 August, to proceeding with and intensifying dialogue with Pristina and maintaining its support for the establishment of the association/community of Serb-majority municipalities, as well as improved cooperation between the municipalities of northern Kosovo and Pristina-based ministries. It is our expectation that common ground will be reached and that an agreement establishing the association/community of Serb-majority municipalities in northern Kosovo will finally be implemented.

However, the report further highlights the slow implementation of the agreements reached within the dialogue facilitated by the European Union (EU), despite signals of commitment on the part of the parties to moving forward, including on the issues of free movement, telecommunications and integration of the Kosovo judiciary. The issues of returns, reconciliation, the protection of cultural heritage and community relations still have a long way to go. The reported security incidents, physical assaults, verbal threats, robberies targeting returnees and the vandalism of property are matters of concern.

Against that tense backdrop, we warmly commend the example set by the President of Kosovo, Mr. Hashim Thaçi, by paying his respects to past Serb victims of sectarian violence in an effort to change attitudes and to promote reconciliation. In that regard, we echo the First Deputy Prime Minister and Minister for Foreign Affairs of Serbia in expressing the expectation that this visit will be transformed into a palpable, positive step forward in the furtherance of security and respect for the rights of non-Albanian communities.

In conclusion, we underline the fundamental role played by the United Nations, through UNMIK, in promoting security, stability and respect for human rights, as well as its cooperation with the Organization for Security and Cooperation in Europe and the European Union Rule of Law Mission in Kosovo, and its engagement with Pristina and Belgrade. We acknowledge the positive results achieved in tackling organized crime and corruption in Kosovo, indictments for terrorism-related offences, and the fight against incitement to nationalistic, racial, religious or ethnic hatred, discord and intolerance. We remain confident that the political leaders of Belgrade and Pristina will be able to fulfil their commitments and implement the agreements reached under the EU-facilitated dialogue process. We hope that the dialogue will proceed in good faith and in a results-oriented manner aimed at building a better future for all peoples in the Balkans.

Ms. Schwalger (New Zealand): I, too, welcome First Deputy Prime Minister Dačić and Ambassador Çitaku to the Security Council today, and thank Special Representative Tanin for his briefing.

New Zealand strongly supports dialogue between Belgrade and Pristina aimed at normalizing relations, and the European Union's support for that process. We encourage the leaders of Serbia and Kosovo to engage constructively in that dialogue with sincerity and determination to achieve concrete results for their people. We reiterate the Secretary-General's call for both sides to seek fair and lasting compromises.

While a number of agreements have emerged from the dialogue, the pace of implementing them has been relatively slow in some instances. We were pleased to learn about the recent agreement relating to telecommunications and we look forward to seeing progress on Serb majority municipalities in Kosovo. We encourage both sides to make progress on other issues identified in the Secretary-General's report (S/2016/901), including those of internally displaced persons and of missing persons. Implementation of agreements reached within the dialogue is in the best interest of all of Kosovo's communities. Therefore, we hope that both sides can focus on delivering on their commitments and refrain from taking actions which unnecessarily divert energy away from constructive dialogue.

The previous report of the Secretary-General (S/2016/666) noted a significant reduction in aggressive

protests and political violence. We are, therefore, disappointed to see a recurrence of such incidents, including disruptive tactics in the Kosovo Assembly. When elected representatives engage in such behaviour, what example does that set for the communities they represent? We encourage those parties who oppose the use of violence to achieve political objectives to continue to distance themselves from that behaviour, to send a clear message that concerns must be addressed through peaceful and normal democratic processes.

Previously, New Zealand has welcomed progress towards the establishment of a specialized court to try cases brought forward by the European Union Special Investigative Task Force. We are therefore pleased to see another step taken in that direction with the recent appointment of a specialist prosecutor. We look forward to the court becoming operational as soon as possible and contributing to the broader process of reconciliation.

Finally, and as we have said throughout our Council term, we believe the Council should take a more flexible approach as to how and when it considers this agenda item. The current frequency of meetings is not justified by the situation on the ground, especially when contrasted against other pressing issues on the Council's agenda. We say that not to diminish the range and strength of views that exist on the question of Kosovo or to suggest that everything is perfect in Kosovo. Rather, we believe that the Council has a responsibility to organize its work in a manner that directs its time and energy towards the peace and security challenges that most urgently demand our attention. In that regard, we would also be open to considering a possible restructuring of the United Nations Mission in Kosovo to reflect the improving realities on the ground with the passage of time.

Mr. Rosselli (Uruguay) (*spoke in Spanish*): I thank the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo (UNMIK), Mr. Zahir Tanin, for his briefing. I also thank the First Deputy Prime Minister and Minister of Foreign Affairs of Serbia, Mr. Ivica Dačić, and Ms. Vlora Çitaku for their statements.

Uruguay, a civilized nation, understands that compliance with resolution 1244 (1999), including full respect for Serbia's territorial integrity and sovereignty, is the international legal basis for resolving the situation in Kosovo. As such, it calls for political dialogue and constructive approaches that may lead to solutions that promote progress and stability in the region. Despite certain general economic and political progress, internal political tension and violent outbreaks are challenges we must continue to address. In that regard, Uruguay rejects of the use of violence and encourages all parties to find common ground that will lead to stability and cover the entire population of Kosovo.

We also welcome Sunday's technical agreement on telecommunications as well as progress in the reconstruction of Mitrovica Bridge. As for the recent tensions over the Trepca mining complex, I call on the parties to seek a solution through political dialogue.

I want to raise three important aspects that will help reconcile the various communities that live in Kosovo: the protection of cultural property, respect for the differences within the communities, and the living conditions of internally displaced persons.

From her visit to Kosovo in October, Ms. Karima Bennoune, Special Rapporteur in the field of cultural rights, expressed concern over the politicization of cultural heritage. Respect for the culture and religious beliefs of every community, as well as policies aimed at minorities, are essential to reconciliation and peaceful coexistence, and will help internally displaced persons return to their homes.

According to Mr. Chaloka Beyani, Special Rapporteur on the situation of human rights of internally displaced persons, while positive measures have been taken, the authorities must redouble efforts to achieve lasting solutions for those who have been internally displaced for 17 years. Of particular concern is the situation of communities of minorities and the most vulnerable displaced persons. I also agree with his view that the international community must follow up and support those efforts.

Uruguay underscores the importance of the accountability, access to justice and, in particular, cooperation with the special court set up to judge crimes committed by the Kosovo Liberation Army. We also echo the concern expressed in the Secretary-General's report (S/2016/901) regarding the protection of witnesses in trials for crimes committed in Kosovo during the 1998-1999 conflict. Moreover, Uruguay agrees with the conclusions of the United Nations Entity for Gender Equality and the Empowerment of Women on the need to prioritize policies that give voice to survivors of sexual violence in conflicts and, in

particular, its defence of providing full reparation to the victims of sexual violence in the Kosovo conflict.

Finally, I want to express our support for and recognition of the work of Special Representative Mr. Zahir Tanin and UNMIK, in their task of promoting security, stability and the respect for human rights, as well as to the Organization for Security and Cooperation in Europe, the Kosovo Force, the European Union Rule of Law Mission in Kosovo and the United Nations agencies on the ground.

Mr. Aboulatta (Egypt) (*spoke in Arabic*): As my first order of business, I would like to convey my thanks to the Special Representative of the Secretary-General, Mr. Zahir Tanin, for his very comprehensive and detailed briefing and update on the United Nations Interim Administration Mission in Kosovo report (S/2016/901). We would like to once again underscore our support for his efforts to strengthen security and stability and the respect for human rights in Kosovo. I would also like to welcome His Excellency Mr. Ivica Dačić, First Deputy Prime Minister and Minister for Foreign Affairs of Serbia, and Ms. Vlora Çitaku. I thank both of them for their statements.

We strongly support efforts to implement the agreements reached between Belgrade and Pristina under the auspices of the European Union (EU). We are nonetheless disappointed to learn of the delay in the implementation of the provisions of those agreements. We nonetheless commend to the progress that has been achieved, most notably, in the recent agreement concluded between the two parties pertaining to telecommunications, which we note was reached under EU supervision.

There can be no alternative to dialogue, and we call on leaders in Belgrade and Pristina to relaunch high-level dialogue without further delay in order to achieve consensus, find fair solutions and guarantee the full implementation and roll-out of the agreements reached in August 2015. We hope that the recent agreement on telecommunications will breathe new life into the process of addressing outstanding issues, particularly the issue of heritage assets.

We also welcome the positive signs highlighted in the report, indicating the genuine desire of both parties to establish the association/community of Serb-majority municipalities in order to protect the freedoms and rights of the Serb populations. We call on both parties to fully implement the association/community of Serb-majority municipalities as quickly as possible in order to strengthen regional stability and further the process of reconciliation. We attach a great deal of importance to enhanced cooperation with the Council with regard to reporting. We call on all parties to enhance and extend their dialogue in order to include more people in the decision-making process, particularly those that have a direct impact on the lives of the people concerned, so that their voices are heard.

We support efforts to improve regional stability and security. That is one of the pillars of Egypt's foreign policy, because we believe it is important to enhance the political and economic future of the region. Against that backdrop, we are concerned by the current political stalemate with regard to the delineation of the border between Kosovo and Montenegro. We call on both parties to find a solution to the stalemate as soon as possible so as to resolve the border delineation issue and strengthen domestic and regional security.

We must also ramp up efforts for regional integration and reject speech aimed at stoking animosities in the region and sowing further division. Egypt supports the efforts and work of the United Nations Interim Administration Mission in Kosovo (UNMIK), the Special Representative of the Secretary-General, and all regional and international organizations. We firmly welcome the key role played by UNMIK in Kosovo as it seeks to strengthen security, respect for human rights and stability. We also welcome the very important role played by the Organization for Security and Cooperation in Europe.

Mr. Oyarzun Marchesi (Spain) (*spoke in Spanish*): I thank the Special Representative of the Secretary-General, my good friend Ambassador Tanin, for his briefing and for sharing his thoughts with us. I also once again welcome the presence in the Security Council of the First Deputy Prime Minister and Minister for Foreign Affairs of Serbia, His Excellency Mr. Ivica Dačić, and Ms. Vlora Çitaku.

I would like to begin what will be my last statement in the Council, at least as a member, on this agenda item by reiterating Spain's gratitude for the excellent work of Ambassador Tanin and our firm and unwavering support for him and the United Nations Interim Administration Mission in Kosovo (UNMIK). Their work is important and necessary, but also of great complexity in the light, inter alia, of the reiterated issue of defining the Mission's purpose. We believe

that the current lack of headway in various spheres on the ground makes the work of UNMIK doubly relevant, in particular its efforts to foster reconciliation between the communities, promote and protect human rights, and improve governance at the local level. It is precisely at this local level that UNMIK has chosen to prioritize its actions, because it is the key to unlocking the vault of reconciliation and peaceful coexistence that we all desire for Kosovo. It is the objective we all share, but that unfortunately we continue to be unable to fully achieve.

The future of Kosovo and the entire Western Balkans necessarily depends on overcoming division, finding mutual understanding on prevailing needs, and jointly constructing a progressive future. In this process, we must acknowledge that the European Union plays a crucial role. However, we must ensure that in the future the citizens themselves must play that role with sincere and unconditional commitment. Moerover, we can support only those processes that are jointly spearheaded by the citizens themselves.

Among those, the most noteworthy event was without a doubt the Brussels dialogue facilitated by the European Union — first, because it was jointly determined by the parties, and secondly, because, independent of the political or ethnic affiliations of citizens, the dialogue process placed the region within the framework of the values and principles of the European Union. Nevertheless, despite the aspirations created at the outset, the dialogue was unable to achieve major results in 2016, which is about to end. It is therefore necessary to restart the dialogue in good faith and in a constructive manner, particularly at the highest level, and for the parties to renew their commitment to the implementation of and compliance with the agreements already reached.

Spain welcomes the recent telecommunications agreement and other small, as yet incomplete measures, such as the work to reconstruct the Mitrovica Bridge. However, other recent measures, such as the adoption of the so-called nationalization law of Trepca, openly contribute, due to their unilateral nature, to undermining the spirit of dialogue. It is indispensable that the parties avoid adopting unilateral measures that erode the necessary mutual trust, neutralize progress and further himder progress. There is a need to work together in good faith to implement the agreements reached to date in the context of dialogue, and to work towards reaching new agreements. In that regard, the establishment of the association/community of Serb-majority municipalities remains key to ending the current deadlock situation, so that the process becomes a priority for all parties.

We are aware of the domestic difficulties that have been the hallmark of the political situation on the ground throughout this year. However, these difficulties cannot be used as a pretext. The same is true, if not more so, of the use of political violence and failure to respect the rules of the game of democracy.

Finally, I would like to take this opportunity to reiterate the two essential elements of the Spanish position, combining coherence, and this without prejudice for its principled position, with a constructive spirit, which allows us to support any measure or process which, like the dialogue between Belgrade and Pristina, not only benefits the population of the territory but also the stability of the entire Western Balkans region.

Mr. Hickey (United Kingdom): I thank Special Representative Tanin for his briefing today. I welcome Ambassador Çitaku and First Deputy Prime Minister Dačić back to the Security Council and I thank them both for their statements.

It has been less than three months since the last briefing on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK) (see S/PV.7660). In that time, a great deal has happened in the world. The United Nations chose a new Secretary-General, and the United States chose a new president. But in truth very little has happened in Kosovo that warrants the Council to spend yet another afternoon discussing UNMIK. In the last 11 weeks, we have spent more time debating Kosovo in this Chamber than we have spent discussing North Korea and its missile tests.

As New Zealand and France have already said, this is clearly unnecessary. As the United Kingdom's Foreign Secretary Boris Johnson saw during his visit to Pristina and Belgrade last week, the people of Kosovo and Serbia no longer live in the world we hear about in this Chamber. Instead, they live in a world where their prospects for the future matter more than the divisions of the past. It is the future that the leaders of Serbia and Kosovo both want, as they made clear to my Foreign Secretary, and it is a future that the Security Council has a responsibility to help realize.

It was in that positive, forward-looking spirit that London played host to the United Kingdom-United States Kosovo Investment Forum this month. Over 150 companies heard about the great potential of Kosovo, the potential of rich natural resources, the potential of unexplored reserves of lead, silver and chrome, and, of course, the great potential of the dynamic, talented young men and women of Kosovo. It is a potential clearly seen in the Trepča mines, which could bring economic prosperity to all of Kosovo. It is vital that the Government continue to consult transparently on the future of this important economic asset, and it is this spirit of consultation and of dialogue that is so necessary to the realization of Kosovo's potential.

This is most clearly seen in the dialogue facilitated by the European Union (EU). I would like to welcome the commitment to the dialogue shown by both sides. But as the Special Representative has made clear, implementation of those commitments has slowed, which will only hold both countries back on their paths to membership in the EU. Normalization of relations is in the interests of the people of Kosovo, Serbia and the region. So let us call on all sides to redouble their efforts to deliver on their commitments.

But dialogue should not just be limited to meetings in Brussels. Dialogue is also needed between Kosovo's politicians in the Assembly. Disruption and violence have no place in political discourse, and I call on the opposition and the Government to work through their disagreements in a spirit of dialogue, not confrontation.

But away from the destruction in the Assembly, the latest UNMIK report (S/2016/901) also makes clear that dialogue is ongoing elsewhere. I want to pay tribute to President Thaçi and welcome his efforts to reach out to Kosovar Serbs on issues such as missing persons. I urge all parties to engage in that spirit so that together they can deal with issues of the past.

Dealing with the past, however, also requires accountability. As the Secretary-General's report sets out, a number of senior political figures involved in corruption or war crimes have been brought to justice in the past few months, which is a vital reaffirmation that the rule of law applies consistently to all people in Kosovo no matter their position, and that there will be no impunity. This pursuit of accountability must continue, including through the Special Court. Coming to terms with the past is a vital part of building a future for all in Kosovo.

I would like to close with a final reflection on dialogue. If there is perhaps too little dialogue in Kosovo at the moment, there is certainly too much dialogue about Kosovo here in New York. So I call again for a reduction in the number of these meetings and a reduction in the number of these reports. This would more accurately reflect the realities on the ground in Kosovo. In that spirit, we echo calls for increased efficiencies to be found in UNMIK and for a further scaling down of the Mission in line with its mandate. We also support calls for the Secretariat to present proposals for restructuring the Mission in the next report.

Mr. Okamura (Japan): I would like to thank Special Representative Tanin for his briefing and continued service.

I have always followed Kosovo with great interest since the time I spent from 1999 to 2000 serving as Chief Political Officer in the United Nations Interim Administration Mission in Kosovo (UNMIK). Today, I have brought with me a bottle of wine from Kosovo, a cabernet sauvignon from the Bodrumi i Vjetër winery. Now, I know that the Security Council is not a place to talk about wine, but I have a reason for doing so. I want to share a short anecdote with the Council.

In the Prizren region in the southern part of Kosovo, there are high-quality vineyards, believe it or not. But as a result of the conflict in the late 1990s, these vineyards fell into disuse and were abandoned. When in 1999 I visited the owner of one of these vineyards, he told me that it would take several years before they could revive the vineyard and produce grapes for wine again. In the meantime, he hoped he could obtain capital from Japan for investment and labour costs to care for the vines and prepare them to restart producing grapes.

These great vineyards had indeed fallen apart. Even if they once produced wonderful wine, I wondered, who would invest in them if they were not going to make a profit for several years? Then I was led inside the winery, where there were several large metallic tanks full of wine from years before. Naturally, I asked for a taste. It was delicious red wine with an exceptional aroma. An idea came to me: if this wine were sold, it could bring funds to the vintner. When I asked a Japanese colleague in UNMIK for help, he was able to connect the vineyard owner with a Japanese trading company. Seventeen years later, the vintner is producing

and exporting great wine like the wine I am holding, to acclaim from international wine lovers like me.

Throughout Kosovo there are countless people like this genial vintner who have regained self-sufficiency with the support of Governments, the United Nations, international organizations, non-governmental organizations and, of course, individuals. It is the same thing for the Government of Kosovo. Since UNMIK's establishment 17 years ago, Kosovo has gained a Constitution, a Government and a parliament.

According to the International Monetary Fund, Kosovo achieved an enviable real economic growth of 4 per cent last year, with similar projections for the next five years. To be sure, Kosovo still faces many challenges. Progress it the talks between Kosovo and Serbia is slow, and the number of returnees to Kosovo remains small. However, the dialogue in Brussels between Kosovo and Serbia continues. Domestic political divisions on drawing the border with Montenegro are largely a matter for Kosovo's self-reliant democracy, although it is important to listen closely to the views of the minority.

That leads me to a larger point. Kosovo is not without problems, but its various problems should in general be solved by the judgment of the people of Kosovo and the people of the region. Why the United Nations? Let us seriously consider the possible withdrawal of UNMIK. On that matter, we should consider focusing our limited peacekeeping resources on other areas in the world where more serious clashes are evident. Having just returned from a Council visit to the Democratic Republic of the Congo, that is especially clear to me.

A Security Council briefing every three months no longer seems necessary. To be honest, it gives me great pleasure to talk about my memories of Kosovo once every three months, but the efficient and effective functioning of the Council should take priority. Put in a very simple way, we have to consider how we use our time. Indeed, Council members have expressed keen interest in improving the Council's working methods. I therefore join New Zealand and the United Kingdom in their call for a reconsideration of the Council's working methods concerning the allocation of its time and energy. Even if a report is undertaken every three months, the Council has the flexibility to decide whether or not to receive a briefing on each occasion. It should be sufficient that the Council retains the flexibility to meet on the matter as needed, and UNMIK is a prime example. I look forward to discussing that matter further in the context of revising presidential note S/2010/507, although that really is just a matter of practice.

In concluding, I would like to emphasize our continued support and appreciation for Special Representative of the Secretary-General Zahir Tanin. We look forward to his next report and look forward to celebrating the success of his work over a glass of Kosovo wine.

Mr. Méndez Graterol (Bolivarian Republic of Venezuela) (*spoke in Spanish*): We thank Mr. Zahir Tanin, Special Representative of the Secretary-General, for his briefing, and the First Deputy Prime Minister and Minister for Foreign Affairs of Serbia, Mr. Ivica Dačić, for his statement. We also welcome the presence of Ms. Vlora Çitaku.

In advocating for a peaceful solution to the dispute in Kosovo —

Mr. Safronkov (Russian Federation) (*spoke in Russian*): My apologies for interrupting. I wanted to ask my colleague and friend from Japan to take his bottle of wine off the Security Council table, if he would. I would again like to remind everyone that this table is a sacred piece of furniture that should be treated with respect. As a matter of principle, we should not place glasses and bottles of wine on it.

Mr. Méndez Graterol (Bolivarian Republic of Venezuela) (*spoke in Spanish*): In advocating for a peaceful solution to the question of Kosovo, the Bolivarian Republic of Venezuela reiterates that resolution 1244 (1999) —

Mr. Okamura (Japan): Sorry, as to the bringing of a bottle of wine, I do not find it anywhere in the provisional rules of procedure of the Security Council or in presidential note S/2010/507 a prohibition on bringing a bottle of wine to the Chamber.

Mr. Méndez Graterol (Bolivarian Republic of Venezuela) (*spoke in Spanish*): In advocating for a peaceful solution to the question of Kosovo, the Bolivarian Republic of Venezuela reiterates that resolution 1244 (1999) remains the applicable international legal basis for the achievement of a holistic solution to the dispute, within the framework of political negotiation. In that regard, we call for the sovereignty and territorial integrity of Serbia to be upheld, in strict compliance with the purposes and principles of the Charter of the United Nations. The

support of the United Nations, particularly through the United Nations Interim Administration Mission in Kosovo (UNMIK), so as to promote security, stability and respect for human rights remains crucial for fulfilling the commitments entered into. That work has been complemented by the Kosovo Force (KFOR) and the European Union Rule of Law Mission in Kosovo (EULEX).

However, we express our concern in the light of the scant progress made in terms of the European Union-facilitated talks concerning the process of implementing of the 19 April 2013 First Agreement on Principles Governing the Normalization of Relations. In that regard, we urge parties to redouble their efforts in the quest for a political, peaceful, fair and lasting solution, within the framework of international law and in compliance with resolution 1244 (1999) and the Brussels Agreements.

Although the report (S/2016/901) indicates that the security situation has remained stable over the past few months, we regret the acts of violence perpetrated by certain political actors as well as the difficulties faced by Serbs seeking to exercise their right of return. In that connection, we believe it is vitally important that full respect for the human rights of displaced persons and minorities be promoted, as well as ensuring that they can return to their places of origin, in order to ensure that those citizens can fully enjoy all of their human rights without discrimination.

However, we are concerned by the fact that acts of violence are still being perpetrated, targeting Kosovo Serb civilians in certain areas. We therefore call on parties to take relevant measures to overcome the situation and prevent persecution and hostilities based on ethnic or religious grounds. Moreover, we are alarmed by the fact that the sale of business and properties in Kosovo undermines the rights of Kosovo Serb minorities and has become an additional controversial element that is impeding the return of displaced persons to their home communities. It is worth pointing out that the Association/Community of Serb-majority municipalities in northern Kosovo has not yet been established. We therefore urge the parties to intensify their efforts in that regard, as was agreed in Brussels at the highest level.

The issue of clarifying the situation of people who went missing during the war is still a high-priority issue. In that regard, we urge interested parties to intensify their joint efforts on that matter. We welcome the decision to establish an analysis team to support the sub-working group on forensic issues.

In terms of cultural and religious heritage, we underscore the need for the parties to work together to deliver effective protection for the important heritage of the different Kosovo communities, which will allow all people to participate in cultural life without discrimination and to be able to access and enjoy their cultural heritage.

In terms of the fight against impunity, we would like to highlight the headway made towards ratifying the agreement with the Government of the Netherlands, as well as the fact that the agreement is now in the final phase of the review process. It should serve to streamline the work of the Specialist Chambers in investigating the allegations of war crimes and crimes against humanity committed in the armed conflict in Kosovo. The application of justice in these cases in the framework of due process will certainly contribute to reconciliation and peace among all parties.

With regard to the fight against terrorism, we commend the efforts undertaken to combat this scourge, such as the sentences handed down to some citizens accused of joining or trying to join Da'esh. Our country supports measures to prevent and combat terrorism in all its forms and manifestations, which must be accompanied by effective strategies to address such issues as marginalization, poverty, violence and intolerant ideologies, with a view to preventing radicalization and with a special focus on young people. Efforts must also be made to effectively implement Security Council and General Assembly resolutions prohibiting the financing, training and transfer of arms to the aforementioned terrorist groups.

In conclusion, we reiterate that dialogue and cooperation between the parties are the only way for countries to shake off the vestiges of violence and thereby achieve peace and stability. Now more than ever, it is essential that the parties continue to meet and ttalk at all levels, in full compliance with resolution 1244 (1999) and the Brussels agreements of 2013.

Mrs. Adnin (Malaysia): My delegation welcomes the First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia and Ambassador Vlora Çitaku of Kosovo back to New York and thanks them for their statements. I am also grateful to Special Representative Mr. Zahir Tanin for his briefing.

Years of persistent efforts by the leaders in implementing socioeconomic reforms have evidently borne fruits. We are pleased with the strong economic performance shown by Kosovo with a 4 per cent growth in its gross domestic product and a marked improvement in its global ranking for doing business, as reported by the World Bank. As Kosovo moves closer towards European Union integration, we envisage further intensified efforts by Kosovo to restructure its economy, implement economic reform measures and address the persisting challenge of high unemployment. The normalization of relations between Belgrade and Pristina remains a crucial aspect in paving the way towards European integration in the interests of peace, stability and prosperity in Kosovo and the region.

We therefore wish to see the resumption of the high-level European Union-facilitated dialogue between Pristina and Belgrade as soon as possible. With respect to outstanding commitments, as agreed in the 15-point Brussels agreement, Malaysia urges Pristina and Belgrade to redouble their efforts in implementing the historic agreement. This includes the establishment of the association/community of Serb-majority municipalities and the implementation of the action plan for telecommunications in Kosovo. We also welcome the recent progress made with regard to Kosovo's judicial integration and the redevelopment of the Mitrovica bridge.

I share the concerns on the political tensions relating to the issues of territorial delineation with Montenegro and the Trepca mining and industrial complex, as highlighted by Mr. Tanin today and the Secretary-General in his latest report (S/2016/901). We call on the opposition parties and their supporters to abstain from political violence in expressing their grievances. We also urge all parties and stakeholders to avoid inflammatory rhetoric and to engage in dialogue and consultations in good faith to resolve the issues amicably and in accordance with the rule of law.

Malaysia commends President Hashim Thaçi of Kosovo for his exemplary leadership and reconciliatory gesture in visiting memorials commemorating Kosovo's civilian victims in the conflict. His visits send a much needed signal of reconciliation, national unity, social integration and building a common future. We call on the people of Kosovo to similarly focus on rebuilding trust and confidence to cease the targeting of minorities, as well as religious and cultural sites.

Part of the effort to rebuild trust between the communities in Kosovo involves addressing the past. In that regard, Malaysia takes note of the appointment of the Chief Prosecutor of the Kosovo Specialist Chambers in the Netherlands to try cases arising from the findings of the European Union Special Investigative Task Force. We also commend ongoing efforts by the Kosovo Government in countering terrorism, violent extremism and radicalization.

I join my other colleagues in reaffirming support for the United Nations Interim Administration Mission in Kosovo (UNMIK), which continues to play a key role in promoting security, stability and respect for human rights in Kosovo. We commend the leadership of the Special Representative and the important role of the European Union Rule of Law Mission in Kosovo, the Organization for Security and Cooperation in Europe and the Kosovo Force in ensuring peace, security and the rule of law in Kosovo.

Lastly, my delegation strongly supports the call made by other Council members for a reduction in the frequency of Council meetings of UNMIK to better reflect the situation in Kosovo and in view of more pressing matters on the Council's agenda.

Mr. Wu Haitao (China) (*spoke in Chinese*): I wish to thank Mr. Zahir Tanin, Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, for his briefing. I welcome Mr. Ivica Dačić, First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia, and thank him for his statement. China also listened carefully to the statement delivered by Ms. Vlora Çitaku.

China respects the sovereignty and territorial integrity of Serbia. We understand the legitimate concerns of Serbia on the question of Kosovo. Resolution 1244 (1999) provides an important legal basis for resolving the issue of Kosovo. We must follow the principles and purposes of the Charter of the United Nations, within the framework of the relevant Security Council resolutions, in order to reach appropriate settlements and solutions to the question of Kosovo acceptable to all relevant parties through dialogue and consultations.

China welcomes the establishment of the new Government in Serbia and appreciates the positive efforts of Serbia in seeking a political solution to the question of Kosovo. We hope that both Pristina and

Belgrade will resume high-level political dialogue at an early date in order to carry out pragmatic and constructive consultations and implement the relevant agreements already reached so as to effectively protect the legitimate rights and interests of all ethnic groups in Kosovo and advance national reconciliation. We hope that both parties will refrain from any words or actions that may lead to the complication and escalation of the situation in a joint effort to actively seek a sustainable solution to the question.

China commends the work of the United Nations Interim Administration Mission in Kosovo (UNMIK), under the leadership of Special Representative of the Secretary-General Mr. Zahir Tanin. We support UNMIK in continuing to implement Security Council mandates. We hope that UNMIK, the European Union Rule of Law Mission in Kosovo and the Kosovo Force will carry out their work, in accordance with their respective mandates, in order to play a constructive role in the proper settlement of the question of Kosovo.

The authority of the Security Council, as the main organ for the maintenance of international peace and security, should be respected and its seriousness must be protected.

Mr. Safronkov (Russian Federation) (*spoke in Russian*): We welcome the participation in today's meeting of the First Deputy Prime Minister and Minister for Foreign Affairs of the Republic of Serbia and share the very serious concerns he has expressed with regard to the state of affairs in Kosovo. We thank the Special Representative of the Secretary-General, Mr. Zahir Tanin, and his team for their work, and we thank him for his briefing on the United Nations Interim Administration Mission in Kosovo (UNMIK), which demonstrates that there are ongoing serious issues in the province.

We must note that the situation in Kosovo remains extremely unstable. There are a growing number of new cases of violence against Serbians. In order to resolve such cases, they must not be swept under the rug, but rather addressed directly.

In the report of the Secretary-General (S/2016/901), references are made to the serious incident in the town of Mušutište on 28 August, in which Serbian pilgrims were subject to attack by nationalists. The rise in animosity against minorities bears witness to ongoing threats. Such threats are also posed to the physical safety of Kosovar Serbs. First and foremost, it is absolutely clear that that is the reason for the lack of significant progress in the return of refugees to Kosovo. Where are the security and prosperity we were promised when Kosovo was unilaterally declared independent? Regrettably, no response to that question exists.

The utmost attention must be paid to the matter of the protection of Serbian religious and cultural heritage. There are ongoing cases of interference by local authorities in the matter of the property of the Serbian Orthodox Church and of attempts to expropriate its property or complicate the use of sites belonging to it. The Church of Christ the Saviour in Pristina is systematically subject to vandalism. Obstacles are levied when addressing the consequences of such desecration and the rebuilding process. We are extremely concerned about the campaign to seize economic assets belonging to Serbian State companies and bodies.

A striking example is the recently adopted law on the nationalization of the mining complex, Trepca. The very sustenance of a significant portion of Serbians, those living in the north of the province, depends on that mining company. Such decisions do not help to resolve the situation. Indeed, in adopting that law, the leading Kosovar party did not bother to consult with its nominal partners in the coalition of the Assembly of Kosovo, the Serbian List. As a sign of protest, the Serbian List boycotted the activities of that body. Again, such methods do not contribute to national reconciliation. As Mr. Dačić rightly said, the attack was not on the complex, but rather on Serbians.

It is time for serious work with Pristina. Despite every effort, the mediators in the dialogue between Belgrade and Pristina have failed to break the stalemate. There is an increasing number of issues surrounding the dialogue. For the fourth year in a row, practically nothing has been done to implement the key agreement on the creation of the association/community of Serb municipalities in Kosovo. Attempts are made to divert attention from the true cause of the state of affairs — the sabotaging of the agreement by Pristina by fomenting inter-Kosovar disputes on the legality of the delineation of the border with Montenegro, which supposedly is hampering the so-called Kosovo Government in its actions. We think that matters concerning the property of the Serbian State bodies, companies and private individuals in the province account for a large part of the problem and require greater attention from the

Mission. The Mission should manage that matter more actively.

The Kosovar authorities have had a symptomatic and almost allergic reaction to the recent court ruling with respect to former members of the Kosovar Liberation Army (KLA). Attempts to invalidate the verdicts, including through the use of threats, demonstrate the context in which the work of the Specialist Chambers and the Specialist Prosecutor's Office for the investigation into war crimes by the KLA is being conducted. Regrettably, preparation for the beginning of the court's work is marked by a lack of transparency. International bodies and countries participating in the drafting and implementation of that project are accountable to the Security Council in providing full, timely updates on the implementation of the project. The priority is to ensure the thorough investigation of crimes by the KLA and the punishment of perpetrators.

With regard to the work presently being undertaken to launch the Specialist Chambers and the Specialist Prosecutor's Office to investigate war crimes by the KLA, we have questions about the status of the regular reporting of the European Union Rule of Law Mission in Kosovo (EULEX) regarding the formation and functioning of the Specialist Chambers and its bodies, including the Office of the Specialist Prosecutor. Let us not forget that EULEX was approved by the Security Council in this very Chamber. I hope that my colleagues in the European Union will take this opportunity to talk to us about current developments.

Furthermore, we know that the prosecution of the Kosovars guilty of crimes has been entrusted to a most dubious body, the Specialist Court, which is being created by the unrecognized authorities of Kosovo, whose legal system can hardly be considered mature enough for the conduct of such serious legal proceedings. The system of appointing judges and the role of EULEX in it is far from transparent. For that matter, we ask to be informed about developments. We welcome the inclusion in the report of information, which we had called for time and again, regarding the investigation of the tragic cases in Kumanovo, Macedonia, in May 2015. We think that the matter should continue to be monitored until those responsible for that criminal terrorist act are identified and brought to justice.

I would also like to touch on the issue of the Kosovo Force (KFOR). We regret that there has been an attempt by KFOR, with thought of pretext to avoid contact with Russian representatives. It seems that our partners do not wish to discuss those issues, which does not serve to resolve them. We hope that today's meeting will send a message. We see violations of resolution 1244 (1999), as well as of the United Nations mandate, when attempts are made to transform KFOR into a full-fledged armed forced.

We take note of information with regard to an agreement reached on telecommunications between Belgrade and Pristina. Its implementation will be of key importance. That is the very weak link in the dialogue. No tangible progress has been made in carrying out key agreements on the creation of the association/community of Serb municipalities in Kosovo, since April 2013, but that is the key to guaranteeing the rights and freedoms of Serbians. We think that further delays in the process with invented pretexts can only further degrade the situation in Kosovo and around it.

In the current circumstances, keeping a watchful international eye on processes in Kosovo is of particular importance. In that connection, it is important to ensure stable staffing and budget parameters for UNMIK. We see no reason to review the practice of quarterly reporting on the Mission's activities. For now, the situation in Kosovo does not require that. In particular, we would like to underscore the fact that no one has the right to call into question, much less revoke, resolutions and make irresponsible statements in the Chamber. Resolution 1244 (1999) remains fully applicable and is still the obligatory international legal basis for the settlement of the situation in Kosovo.

Mr. Yelchenko (Ukraine): I join other members of the Council in thanking the Special Representative of the Secretary-General, Mr. Zahir Tanin, for his briefing. Ukraine highly appreciates the work conducted by the United Nations Interim Administration Mission in Kosovo under the leadership of Mr. Tanin on the implementation of the relevant Security Council mandate. I also welcome the First Deputy Prime Minister and Minister for Foreign Affairs, Mr. Ivica Dačić, as well as Ms. Vlora Çitaku back to the Council and thank them for their statements.

Ukraine supports the political dialogue between the two sides, under European Union facilitation. In our view, that dialogue continues to be the cornerstone

on the road to reconciliation. It is a driver of reform and an important prerequisite for the region's further European integration. We are also convinced that there is no alternative to dialogue and cooperation within the Brussels process. It is crucial that the political leaders of the two sides demonstrate courage and farsightedness and continue searching for solutions that will bring peace, stability and prosperity to all people in Kosovo.

We witnessed some positive developments during the reporting period that give us cautious optimism for the future of Kosovo. In particular, we welcome the recent agreement reached between Belgrade and Pristina on telecommunications, which envisages the unimpeded work of Telekom Srbija in Kosovo and a dialing code for Kosovo. We hope that that progress will pave the way for resolving other outstanding issues.

We also welcome a new understanding reached on implementing the agreement on the reconstruciton of the main bridge in Mitrovica, as well as improved cooperation between the municipalities in northern Kosovo and the relevant Kosovo ministries, particularly concerning municipal finance. My delegation joins the Secretary-General in commending the efforts made at the municipal level to employ members of non-majority communities in local governance institutions.

That progress proves that the parties are able to put aside existing differences and concentrate on the dialogue in order to achieve the normalization of relations. Unfortunately, that is not always the case. We take note of the assessment that the implementation of the Brussels Agreement continues to be relatively slow. To our regret, we observe serious delays on many issues in the implementation of outstanding commitments, dangerous divisive rhetoric and even violence.

While we praise the declared commitment of both parties to move forward with the establishment of the Community of Serb-majority municipalities in Kosovo and the implementation of the agreements on the freedom of movement and the integration of the judiciary, that commitment should be translated into more specific and effective actions, since those issues constitute vital prerequisites for further enhanced relations between Belgrade and Pristina.

Political tensions concerning the issue of territorial delineation with Montenegro are negatively affecting Kosovo's European integration path, as the ratification of the demarcation agreement with Montenegro remains one of the requirements for visa liberalization with the European Union.

Another divisive issue that has a negative impact on the situation on the ground and undermines the efforts to establish confidence and trust between the sides is the ownership and structure of the Trepsca industrial complex. We are concerned about the dangerous inflammatory rhetoric that we have witnessed over the past month on that issue. We urge the parties to engage in more close consultations to find a way out of that situation. It is important to negotiate a solution and avoid further possible provocations and violence.

I would like to underscore that Ukraine commends the expressed commitment of both sides to intensify dialogue. That is what we need to focus on in the near future. That is what we need to adhere to in order to assure further stabilization of the situation, promote a better atmosphere for talks and, at the end of the day, ensure the prosperity of the whole region. I therefore wish to express Ukraine's full support for the Secretary-General's call on political leaders in Belgrade and Pristina to demonstrate courage and political will and to resume the high-level dialogue without delay. Belgrade and Pristina need to move full speed ahead with the implementation of the 19 April 2013 Brussels First Agreement on Principles Governing the Normalization of Relations by building trust among communities and finding compromise on the most difficult issues.

A certain role in that process is still played by the United Nations Interim Administration Mission in Kosovo. However, we need to look to the future. It is high time to seriously consider our next steps of how to rationalize the Mission in terms of restructuring or downsizing, as well as to review the Council's timetable of consideration of the situation in Kosovo and its relevant reporting cycle, given the progress already achieved. We join the United Kingdom, New Zealand, Japan and others on that issue.

Ms. Coleman (United States of America): My delegation welcomes Foreign Minister Dačić and Ambassador Çitaku. I also thank Special Representative of the Secretary-General Tanin for his briefing.

We welcome the positive tone of the Secretary-General's most recent report (S/2016/901) and its acknowledgement of the overall economic and political progress in Kosovo. We applaud the United Nations Interim Administration Mission in Kosovo (UNMIK) for its commitment over the years in assisting Kosovo to

develop multiethnic, democratic institutions that uphold the rule of law and respect human rights. Through its continued and diligent commitment to a peaceful and stable Kosovo, UNMIK has fulfilled its mandate. The situation in Kosovo is drastically different from what it was when the Security Council adopted resolution 1244 (1999), and much has changed even since the Mission was restructured in 2008. It is time to streamline and rationalize UNMIK even further with respect to structure, size, personnel and tasks, as several Member States have already noted. We continue our call for increased efficiency and downscaling of the Mission in line with its mandate and realities on the ground in Kosovo and ask that the Secretariat present proposals for restructuring the Mission in its next regular report.

A number of us just returned from the Security Council's trip to the eastern part of the Democratic Republic of the Congo, where United Nations peacekeepers are called upon to protect civilians from armed groups and where upwards of 700 civilians were killed in the past two years. While Kosovo faces challenges that would be expected of any young country, the Security Council does not have the luxury of deploying United Nations resources in Kosovo when they are so desperately needed to address active conflicts elsewhere, such as in the Democratic Republic of the Congo. Given the continued progress and overall stability in Kosovo, we also believe it is high time for the Council to adjust the reporting and briefing cycles. A three-month reporting cycle is simply not necessary, as several Member States have already noted. Kosovo has reached a point in its development where deliberate and methodical reform is required to further increase political and security stability, normalize relations with its neighbours and strengthen human rights and rule-of-law institutions. Those efforts take time. Of course, we should continue to track Kosovo's trajectory; but such close oversight by the Security Council is unwarranted. We once again urge fellow Council members to work with us to adjust the reporting period to six months.

We have seen positive signs of economic development in Kosovo. While it is true that according to the World Bank, gross domestic product gross ticked down slightly to 3.6 per cent, the Secretary-General's report also notes that that is a favourable rate as compared with neighbouring countries. We would also like to point out that it is a higher rate of growth than that experienced by over two thirds of Security Council members. As we have already heard from my Japanese colleague, that rate of growth is the envy of some. Therefore, the accompanying level of 33 per cent unemployment must be urgently addressed. We still believe that further economic reform can help improve governance, combat corruption, increase transparency and bolster the rule of law.

In that vein, we welcome efforts by the Government of Kosovo to put the Trepca mining enterprise on a path to successful restructuring. We recognize that that will be a difficult and contentious process that must be done openly and transparently with the inclusive representation of stakeholders. Trepca must be restructured in such a way as to provide maximum economic viability and with the benefit of the affected workers and communities in mind. UNMIK wrote regulations in 2002, which have since been incorporatee in Kosovo's laws and institutions, that form the legal basis for restructuring Trepca and other publicly or socially owned enterprises. It also established a special privatization court to adjudicate claims.

We also welcome the extension of the European Union Rule of Law Mission in Kosovo (EULEX), which is helping to strengthen justice and fight corruption in Kosovo. Expanded joint training and foot patrols are clear signs of the established coordination that EULEX has achieved. Given Kosovo's accession to the International Federation of Association Football and the Union of European Football Associations, we also appreciate the guidelines produced by EULEX regarding the policing of international soccer matches. Sport is an opportunity to normalize relations and should be used to bring communities together, although bad behaviour by fans can quickly spiral out ofcontrol. Progress on justice and the rule of law will serve to combat corruption, help attract foreign investment and contribute to Kosovo's overall development.

It is unfortunate that political violence has delayed agreement on territorial delineation with Montenegro. That issue must be resolved. Tear gas, petrol bombs and rocket-propelled grenades have no place in civil political discourse.

We encourage the important work Kosovo is undertaking to address the serious problem of foreign fighters, and we applaud the recent arrest of individuals in Kosovo likely affiliated with the Islamic State in Iraq and the Levant in Syria. Foreign fighters present a threat to all countries and require a collective response.

The entire region, including Kosovo, needs an inclusive and integrated approach that includes international institutions, such as INTERPOL, to ensure cooperation and coordination on issues vital to the national security of all States Members of the United Nations. Kosovo's membership and participation in international organizations is not only good for Kosovo, but for the international community.

Finally, we believe all Member States should recognize Kosovo as an independent State. When Kosovo succeeds, the entire region will benefit. A democratic, stable and independent Kosovo is a force for regional stability, and to that end we welcome Kosovo and Serbia's efforts to pursue the normalization of relations through the European Union-facilitated dialogue. We commend the leaders in both Belgrade and Pristina for their willingness to make difficult decisions, and we continue to appreciate the High Representative Mogherini's facilitation of the talks. The United States reaffirms its support for Kosovo as it continues to develop a prosperous and peaceful multi-ethnic democracy, fully integrated into the international community.

The President (*spoke in French*): I shall now make a statement in my capacity as the representative of Senegal.

First, I would like to thank Ambassador Zahid Tanin, Special Representative of the Secretary- General and Head of the United Nations Interim Administration in Kosovo (UNMIK), for the excellent briefing he has just delivered. I also thank Mr. Ivica Dačić, First Deputy Prime Minister and Minister for Foreign Minister of Serbia, and Ambassador Çitaku for their statements.

I am necessarily concerned about the unabated tensions mentioned in the Secretary-General's report (S/2016/901), new tensions that undermine some of the progress made since the end of the conflict with the cooperation of stakeholders on both sides. Such progress made possible the agreement on telecommunications, which my delegation welcomes as important. In that regard, in order to reinvigorate the momentum towards ensuring lasting stability — which beyond Kosovo is a matter of concern for the entire Balkans region — we would strongly encourage the political players in Kosovo to work towards a calm political environment, on which the tenor of the dialogue with Belgrade depends, while also calling upon Serbian authorities to maintain and bolster their commitment to a constructive and calm dialogue with Pristina. My delegation joins the Secretary-General in welcoming the progress made to date by both parties in the context of the European Union-facilitated dialogue. We encourage partners and countries with influence to bring it to bear to continue to support the talks. In order to draw upon the achievements made in that framework, we think it crucial that the agreements reached until now be carried out effectively and that leaders on both side fully commit to resume dialogue in a constructive spirit. That remains the only way to normalize relations.

Recent developments noted in the report, in particular the political context leading to the ratification of the border demarcation agreement with Montenegro and the new law on the Trepca industrial complex, serve to remind us of the need for inclusive dialogue on all pending matters, both among domestic and foreign stakeholders. My delegation believes that difficulties can be overcome; certainly, they should not become an obstacle to the political process under way, especially with regard to implementing the agreement on integrating the Kosovo judiciary, where notable strides have been made. Along the same lines, we welcome the agreement reached on 5 August for the implementation of the agreement of 25 August on the reconstruction of the main bridge in Mitrovica. We would encourage parties to ensure the success of the agreement by upholding their outstanding obligations.

Senegal agrees with the Secretary-General that efforts are needed on the humanitarian and human rights fronts so as to increase the return of refugees, foment trust among the various communities and build diverse yet inclusive societies.

Similarly, with regard to the activities of the European Union Rule of Law Mission in Kosovo (EULEX), whose mandate was extended to 14 June 2018, we welcome its shoring up of Kosovo's achievements in the area of defence, in promoting the rule of law and human rights and in combating terrorism and organized crime. Its support also contributed to the holding of a regional conference of police directors general in Skopje from 8 to 10 September, which included representatives from Kosovo, the former Yugoslav Republic of Macedonia and Serbia. We welcome UNMIK's activities to promote reconciliation, transitional justice and human rights and to support the normalization of relations between Belgrade and Pristina.

In addition to encouraging dialogue, Senegal urges all stakeholders to make further strides towards peace and development, in particular by encouraging the implementation of the 25 August 2015 agreements in north Kosovo. We therefore reiterate our unstinting support to the joint EULEX-United Nations Development Programme project aimed at increasing trust among the communities by protecting cultural heritage. We would also like to see a strengthening of cooperation on information-exchange for resolving the issue of missing persons.

By way of conclusion, my delegation would like to pay tribute to Special Representative Tanin for his wise guidance of UNMIK. We also welcome the efforts made by the Kosovo Force, EULEX, the Organization for Security and Cooperation in Europe and the European Union. These are all stakeholders resolutely committed to peace and stability in Kosovo and the whole region.

I now resume my functions as President of the Security Council.

The representative of Serbia has asked for the floor to make a further statement. I now give him the floor.

Mr. Dačić (Serbia) (*spoke in Serbian; interpretation provided by the delegation*): In my statement earlier I said that Council members would hear a number of lies from Pristina's representative. One can ascertain from her statement how she perceives an ideal country. Simply put: If it is such an ideal country, I wonder why the migrants crossing through the Balkans do not go to Kosovo. Why do its citizens flee Kosovo for Western Europe? Next time, I could also inform the Council how many Kosovar Albanians are in possession of Serbian passports, and how our diplomatic and consular representative offices in Western Europe every day work with Kosovar Albanians.

What kind of country are we talking about? There was mention of crimes, rapes and murders. Why was no one accused? The Kosovo speaker, who represents it now, says that the number of those indicted for those crimes is zero. Well, that is their problem. Why did they not charge anyone? Why did they not say that this person or that person committed rape or murder? If, as was said, Serbia has no jurisdiction in Kosovo, why was nothing done about it in The Hague? Every one of Serbia's police and military was questioned at the International Tribunal for the Former Yugoslavia in The Hague hundreds of times. It is impossible to bring charges based on the representative's fictional accounts recited here in the Security Council.

And what is going on with Oliver Ivanović? Ms. Çitaku says that we have arrested Kosovo's citizens. She urges that our people should be indicted, but when it comes to her citizens, everyone is innocent, right? So if according to her whoever may have been convicted is innocent, what is happening in the case of Oliver Ivanović? He has been under house arrest for months. Is there a single witness — Serbia has demanded to see a list — who can confirm the allegations made against him? The representative made a little mistake, because that list was erased after 2000 by those who bombed Serbia. But I have to declare here in New York, before the Security Council, that the decision to bomb Serbia was illegal and taken without the assent of the Council. I believe firmly that many who were on that list deserve to be tried, but the Tribunal found no legal basis for instigating proceedings against those who bombed Serbia. That was a judicial decision based on no decision of the Security Council. Of course, that list also includes people who were lauded by Kosovo — who were employed, permitted to research mining resources and given mobile phones.

Now the former Croatian Prime Minister Milanović turns to Kosovo. Is Wesley Clark now on the list of those working in Kosovo, having borne witness to Bernard Kouchner and William Walker claiming that Serbia was bombed? He was the Head of the Mission to Serbia of the Organization for Security and Cooperation in Europe, and before any statements were made by any forensic experts, he said that those who died in Račak were the victims of Serbs. Now he is a national hero.

Ms. Çitaku speaks of colonialism. What is she talking about? What are the countries that have been liberated from colonialism? Does she have any idea at all of what colonialism is? The first capital of Serbia was in Kosovo. The seat of the Serbian Orthodox Church is in Kosovo. What kind of colonialism is that? Name any Albanian cultural monument dating back to that time. What is she talking about? She thinks that because she is here in this meeting, supported by some major Western Powers, that she can tell lies here. But in fact that support does not strengthen Kosovo's position; rather their support for the positions that Kosovo presents here undermines their own reputations. Ms. Çitaku mentioned Mr. Ahtisaari. Was it the Security Council that adopted the Ahtisaari proposal?

Ms. Çitaku has presented the dangerous thesis that everything in Kosovo belongs to Kosovo. The people there are living under capitalism, so can she actually tell them that everything located in Kosovo is the property of Kosovo? There should be some law about those rights. She does not even like Special Rapporteur Karima Bennoune, who has spoken of 200,000 displaced Serbs. The number is not important — even if it is only 50,000, they should be allowed to return. According to United Nations data, they amount to 1.9 per cent. Will the Council remain silent on this and say that those people do not have to go back? Is the Council going to legalize ethnic cleansing? it has no right to do that.

Regardless of our country's small size, when it is a question of our Church we will defend it. Ms. Çitaku claims that the church on the grounds of the campus of the University of Pristina is problematic because it was built under the Milošević regime. But what about the fourteenth-century church of Our Lady of Ljeviš, which Kosovo set on fire, and which was placed on the UNESCO World Heritage List? When was that built? Does that have anything to do with Milošević? Where was Milošević in 1981, when there were demonstrations demanding Kosovar independence? There was always a plan for unification with Albania from the very start, and that should be admitted. She is not Kosovar; she is Albanian. Her country of origin is Albania. This is not about colonialism; it is about a national minority in someone else's country that has unilaterally declared independence.

I should like to point out to those here, including my friend from Japan, that this could happen to his country tomorrow. The fact that his country has over 100 million inhabitants does not give it more rights than Serbia. We do not have a principle that says we lost because Kosovo's unilateral declaration of independence was permitted and because some countries accepted it. It is really not nice that the United States has called on other countries to recognize Kosovo's unilateral declaration, thereby violating Serbia's territorial integrity. One hundred years ago, the only foreign flag that flew in front of the White House was Serbian, in recognition of Serbia's sacrifices during the First World War, when we lost a third of our population.

I am happy for the Ambassador of Japan and his bottle of wine. In the fourteenth century, Serbia's Tsar Dušan enacted a law protecting the quality and geographic origin of Kosovan wine. At the time, he was the only ruler owning 25 kilometres of vineyards between Veliko Hoča and Prizren. Needless to say, there is nothing that the representative of Pristina can say about that, because at the time her people did not live in Kosovo. We are therefore not colonizers, and such terms should not be used in this principal organ of the United Nations.

With regard to INTERPOL, of course Palestine was also on its agenda and the United States was not inclined to vote on that. Kosovo and Taiwan were on its agenda, too — or perhaps Taiwan was not on the agenda, but it was announced. Kosovo told everyone that it would be participating in the INTERPOL meeting, so why did it not submit its request? It did not submit it because it knew it would lose.

I will end in the same way that Ms. Çitaku began, by quoting her fictional statement. Today we are in 2016, not 1999. That is correct. Of course, the world has changed in the meantime. Today, those who bombed us, and for whom monuments have been raised in Pristina, are gone. The world has indeed changed. Today, those who supported Kosovo's positions are gone. The world has changed in the sense that people understand that this is about the violation of rights. Each and every violation of international rights is of a universal nature and is applicable to all. I respect the will of all, but we have to start with the legitimate interests of our own people.

I do not know if the names of squares and streets in Pristina will be changed, as the media has suggested, but in any case we do not need the support of anyone from outside. Let us resolve our problems by ourselves. The representative of Kosovo is hiding behind big brother. Let us talk and find a sustainable solution. No one is going to drop a solution on Kosovo in the same way they dropped the bombs in 1999. Unfortunately for Kosovo, that time is over.

The President (*spoke in French*): Ms. Çitaku has asked to make a further statement. I give her the floor.

Ms. Çitaku: I will be very considerate of the Council's time, but some of the issues raised by my colleague from Serbia deserve a response.

In fact, most of his statement, if it were not so troubling, given that it was delivered here in the Security Council, would have been amusing and entertaining. Accusing the international community, the leaders of the free world and the North Atlantic Treaty Organization of being involved in Kosovo for their own interests and our resources is insulting. Actually, Kosovo is a clear

example of the world coming together to defend human dignity, human life and humanitarian values.

For those who do not know, Kosovo is the size of Connecticut; it is a small country. By the way, we had borders long before we had our statehood. We are not actually very rich in natural resources. Our biggest resource is human resources — people. We have a young population, 70 per cent of whom are under 30. This human potential, which was liberated and enabled to live in freedom, is the only benefit and pleasure that the international community has gained. Sincerely, I am shocked and offended. I hope that my colleague from Serbia will reflect on these statements.

Secondly, the war in Kosovo did not happen 500 years ago or 70 years ago; it is a recent war. It happened in 1998 and 1999 before the eyes of the world, under the eyes of those in this Chamber, and journalists from the United States to Russia to China to Japan. Everybody was there and the images are real. Interpretations can change and be different, but facts cannot change. Facts are real.

I am sorry that my colleague is losing patience. I listened to him, and ask him to listen to me. I just hope that one day we will come to the Chamber and hear an apology and signs of remorse from Serbia, because ultimately that is in Serbia's interest as well. Can anyone imagine Germany, after the Second World War, accusing Allied forces of intervening to save Europe? I really hope that Serbia will reflect because, as I said, that is the only way the region will be able to move forward.

Unfortunately, our legislation and Constitution make it very clear against whom we can open investigations and indictments. We cannot indict people in absentia — when they are not physically present in Kosovo — and the fact is that most of the people who committed war crimes have left Kosovo. As far as Mr. Ivanović is concerned, he was indicted and has been brought to trial by the European Union Rule of Law Mission in Kosovo (EULEX). The Kosovo Government supports the role of EULEX, and we look forward to a time when all these trials are far behind us.

I apologize for taking more of the Council's time. I really felt offended and I know some others here did as well.

The meeting rose at 6.30 p.m.